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UNCLAS SECTION 01 OF 15 ZAGREB 005178

SIPDIS

SBU/NOFORN

DEPT FOR EUR/SCE/HOH AND DRL

E.O. 12958: DECL: N/A

TAGS:

SUBJECT: HUMAN RIGHTS REPORT FOR CROATIA

REF: (A) STATE 153603; (B) STATE 174175

1. SBU/NOFORN -- ENTIRE TEXT.
2. FOLLOWING IS THE 1995 COUNTRY HUMAN RIGHTS REPORT FOR CROATIA.
3. THE REPUBLIC OF CROATIA IS A CONSTITUTIONAL  
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PAGE 02 ZAGREB 05178 01 OF 15 181358Z  
PARLIAMENTARY DEMOCRACY WITH A POWERFUL PRESIDENCY.  
PRESIDENT FRANJO TUDJMAN, ELECTED IN 1992, SERVES AS HEAD  
OF STATE AND COMMANDER IN CHIEF OF THE ARMED FORCES. HE  
CHAIRS THE INFLUENTIAL NATIONAL DEFENSE AND SECURITY  
COUNCIL, AND APPOINTS THE PRIME MINISTER, WHO LEADS THE  
GOVERNMENT. PRESIDENT TUDJMAN'S PARTY, THE CROATIAN  
DEMOCRATIC UNION (HDZ), HOLDS THE MAJORITY OF SEATS IN  
BOTH HOUSES OF PARLIAMENT. A NEW GOVERNMENT WAS NAMED IN  
NOVEMBER AFTER MULTI-PARTY ELECTIONS WERE HELD FOR THE  
LOWER HOUSE OF PARLIAMENT. GOVERNMENT INFLUENCE WEAKENS  
THE NOMINALLY INDEPENDENT JUDICIARY. THE ENORMOUS  
CONSTITUTIONAL POWERS OF THE PRESIDENCY, THE MILITARY  
OCCUPATION OF LARGE SECTIONS OF THE COUNTRY, AND THE  
OVERWHELMING DOMINANCE OF ONE POLITICAL PARTY TEND TO  
STIFLE THE EXPRESSION OF DIVERSE VIEWS. THE HDZ HAS RULED  
CROATIA SINCE INDEPENDENCE IN 1991 AND THE PARTY HAS  
SOUGHT TO ENTRENCH ITS AUTHORITY IN THE LEGISLATURE AND  
THE JUDICIARY, AND AT THE COUNTY AND MUNICIPALITY LEVELS  
OF GOVERNMENT.

CROATIA MILITARILY TOOK BACK CONTROL OF THE TERRITORY  
WHICH HAD BEEN OCCUPIED FOR FOUR YEARS BY BREAKAWAY SERBS.  
ONLY THE FORMER SECTOR EAST REMAINS OUTSIDE EFFECTIVE  
GOVERNMENT CONTROL, ALTHOUGH BOTH PARTIES SIGNED AN  
AGREEMENT IN MID-NOVEMBER TO BRING THIS AREA UNDER  
COMPLETE GOVERNMENT CONTROL AFTER A TRANSITIONAL PERIOD OF  
ONE TO TWO YEARS. IN MARCH, THE UNITED NATIONS PROTECTIVE  
FORCE (UNPROFOR) MANDATE WAS MODIFIED TO INCLUDE  
MONITORING OF THE INTERNATIONAL BORDERS OF CROATIA, AND AN  
INCREASED PRESENCE OF HUMAN RIGHTS MONITORS IN THE UN  
PROTECTED AREAS. THE MISSION WAS RENAMED THE UNITED  
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NATIONS CONFIDENCE RESTORATION OPERATION (UNCRO). THE  
GOVERNMENT LAUNCHED MILITARY OFFENSIVES ON THREE REBEL  
SERB-HELD ZONES IN MAY AND AUGUST AND RECOVERED THE  
TERRITORY. UNHCR ESTIMATES THAT APPROXIMATELY ONE HUNDRED  
EIGHTY THOUSAND SERB REFUGEES FLED INTO SERB-CONTROLLED  
BOSNIA AND SERBIA/MONTENEGRO DURING THE TWO CAMPAIGNS.  
THE MOST FLAGRANT HUMAN RIGHTS VIOLATIONS DURING THE PAST  
YEAR IN CROATIA WERE COMMITTED DURING AND AFTER THESE  
OPERATIONS. ABUSES ALSO CONTINUED IN REBEL SERB-HELD  
AREAS. TENS OF THOUSANDS OF EXPELLED CROAT AND MUSLIM  
REFUGEES CONTINUED TO ARRIVE FROM SERBIA AND BOSNIA.

THE MINISTRY OF THE INTERIOR OVERSEES THE POLICE WHILE THE  
MINISTRY OF DEFENSE OVERSEES THE ARMED FORCES (HV). THE  
NATIONAL POLICE HAVE PRIMARY RESPONSIBILITY FOR INTERNAL  
SECURITY, BUT IN TIMES OF DISORDER, E.G. DURING AND AFTER  
THE MAY AND AUGUST OFFENSIVES, THE GOVERNMENT MAY CALL ON  
THE ARMY TO PROVIDE SECURITY. BOTH THE POLICE AND ARMY  
ARE RESPONSIBLE FOR EXTERNAL SECURITY. CIVILIAN  
AUTHORITIES GENERALLY MAINTAIN EFFECTIVE CONTROL OF THE  
PROFESSIONAL SECURITY FORCES. HOWEVER, OFFICIAL PERSONNEL  
FROM EACH SERVICE WERE RESPONSIBLE FOR SIGNIFICANT ABUSES

CROATIA'S ECONOMY IS SLOWLY CONVERTING FROM CENTRALIZED  
SELF-MANAGEMENT TO A MARKET-BASED, PRIVATE FREE ENTERPRISE  
SYSTEM. INDUSTRY IS LARGELY STATE-OWNED. AGRICULTURE IS  
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THE GOVERNMENT GENERALLY RESPECTED THE HUMAN RIGHTS OF ITS ETHNIC CROAT CITIZENS. HOWEVER, PROFOUND PROBLEMS AND NOTABLE EXCEPTIONS EXISTED. THE GOVERNMENT'S HUMAN RIGHTS RECORD WORSENEO WITH RESPECT TO MINORITY GROUPS, ESPECIALLY ETHNIC SERBS. THE BULK OF VIOLENT ABUSES OCCURRED IN THE RECONQUERED REGIONS, AFTER THE MILITARY AND THE POLICE OPERATIONS. THE GOVERNMENT FAILED TO ESTABLISH ADEQUATE CIVIL AUTHORITY TO CONTROL VENGEFUL RENEGADE ARSONISTS, LOOTERS, AND MURDERERS WHO OPERATED WITH IMPUNITY IN THE RECLAIMED AREAS MONTHS AFTER THE OFFENSIVES HAD ENDED. IT SOUGHT TO LEGALIZE AND

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	OIC-02	PRS-01	P-00	SCT-00	SP-00	STR-00	TRSE-00
	USIE-00	PRM-10	PRME-01	PRMC-01	DRL-09	G-00	/033W
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FM AMEMBASSY ZAGREB  
TO SECSTATE WASHDC PRIORITY 8375

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**TAGS:**

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INSTITUTIONALIZE THE POPULATION CHANGES RESULTING FROM THESE OFFENSIVES, RATHER THAN WELCOME BACK SERB REFUGEES. AFTER THE MILITARY ACTIONS, IT APPEARED LESS GENUINELY

INTERESTED IN CREATING CONFIDENCE RESTORING MEASURES WITH THE SERBIAN COMMUNITY, OR EVEN IN MAINTAINING A SERB ETHNIC PRESENCE IN CROATIA. THE SECURITY FORCES TURNED A BLIND EYE TO, COOPERATED IN, OR EVEN COMMITTED MANY OF THE ABUSES IN THE RECLAIMED AREAS. THE GOVERNMENT HAS NOT  
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EFFECTIVELY SOUGHT OUT OR PUNISHED MANY OF THOSE INVOLVED, EXCEPT IN A FEW TOKEN CASES. THE GOVERNMENT TEMPORARILY SUSPENDED KEY PROVISIONS OF THE NATIONAL MINORITIES LAW IN SEPTEMBER AND STILL HAS NOT ESTABLISHED THE PROVISIONAL HUMAN RIGHTS COURT AS MANDATED BY THE CONSTITUTION IN 1992. SPECIFIC ABUSES COMMITTED INCLUDED ETHNIC-BASED KILLINGS, ARBITRARY DETENTION AND TORTURE, RESTRICTIONS OF MOVEMENT AND ON REPATRIATION, MASS DESTRUCTION AND CONFISCATION OF PROPERTY, DENIAL OF FAIR AND EXPEDITIOUS TRIALS, AND INFRINGEMENTS ON FREEDOM OF SPEECH AND THE PRESS.

THERE WAS NO IMPROVEMENT IN THE HUMAN RIGHTS SITUATION IN AREAS UNDER REBEL SERB CONTROL. THE POLICE AND MILITARY FORCES CONTINUED TO USE VIOLENCE, MURDER, INTIMIDATION, AND DISPLACEMENT AGAINST MINORITIES TO SETTLE INCOMING SERB REFUGEES AND ACHIEVE THE GOAL OF ETHNIC CLEANSING. SUCH CONDITIONS PREVAILED EVEN AFTER THE LOSS OF THREE REGIONS TO GOVERNMENT FORCES. IN MAY, PROVOKED BY THE GOVERNMENT ATTACK ON THE FORMER SECTOR WEST, "REPUBLIC OF SERBIAN KRAJINA (RSK) PRESIDENT" MARTIC ORDERED THE BOMBING OF CIVILIAN CENTERS IN FREE CROATIA, INCLUDING ZAGREB. AT LEAST SIX CIVILIANS DIED IN THESE INCIDENTS. RESIDENTS OF THE "RSK" WERE SUBJECT TO A CONTROLLED PARALEGAL SYSTEM OPERATING WITHOUT FREEDOM OF EXPRESSION, ASSEMBLY, PRESS, RELIGION, MOVEMENT, OR THE RIGHT TO CHANGE THEIR GOVERNMENT.

RESPECT FOR HUMAN RIGHTS

SECTION 1. RESPECT FOR THE INTEGRITY OF THE PERSON,  
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INCLUDING FREEDOM FROM:

1A. POLITICAL AND OTHER EXTRAJUDICIAL KILLING

UNCRO OFFICIALS REGISTERED 300-500 REPORTS OF KILLINGS IN RECLAIMED PARTS OF CROATIA. MOST WERE ETHNICALLY MOTIVATED, AND OCCURRED LONG AFTER THE MILITARY OFFENSIVES WERE OVER. ONLY IN THE MOST PUBLIC CASES WERE EFFECTIVE INVESTIGATIONS CARRIED OUT AND PERPETRATORS PUNISHED, MOSTLY AS A RESULT OF PRESSURE FROM INTERNATIONAL AUTHORITIES AND HUMAN RIGHTS GROUPS. AMONG THOSE IMPLICATED IN THE KILLINGS WERE CIVILIANS, CIVIL POLICE AND ACTIVE-DUTY MILITARY PERSONNEL, ESPECIALLY MEMBERS OF THE NON-PROFESSIONAL "HOME GUARD" BRIGADES. TWO INCIDENTS NOTE PARTICULAR MENTION. THE CORPSES OF SEVEN ELDERLY CIVILIANS WERE FOUND IN LATE AUGUST SHOT, SLAUGHTERED, AND BURNED IN THE VILLAGE OF GRUBORI. THE OLDEST VICTIM WAS 90 YEARS OLD. WITNESSES SAW UNIFORMED SPECIAL POLICE AND HV AT THE SCENE. AT FIRST, GOVERNMENT OFFICIALS CLAIMED THE CIVILIANS WERE CAUGHT IN A CLASH BETWEEN HV AND ENEMY TROOPS. MONTHS LATER, A FEW CROATS WERE ARRESTED FOR THE MURDER OF THESE CIVILIANS AND WERE STILL UNDER INVESTIGATION AT THE END OF THE YEAR. IN A SECOND INCIDENT, ON SEPTEMBER 28, IN THE VILLAGE OF VARIVODE, UNCRO MONITORS FOUND THE BODIES OF NINE ELDERLY SERBS, SHOT TO DEATH. 13 INDIVIDUALS WERE ARRESTED FOR THE INCIDENT. AT THE END OF THE YEAR, THE GOVERNMENT CLAIMED IT HAD INVESTIGATED 26 MURDERS, AND RESOLVED 15 CASES, CHARGING A TOTAL OF 20 INDIVIDUALS, INCLUDING THREE SOLDIERS AND ONE POLICEMAN.

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YUGOSLAVIA (ICTY). AFTER MANY OF THE BODIES WERE  
IDENTIFIED, THEY WERE RELEASED INTO THE CUSTODY OF FAMILY  
MEMBERS. BASED ON EYE-WITNESS REPORTS, THE GOVERNMENT

CHARGED INDIVIDUAL REBEL SERBS WITH MURDER, SOME OF WHOM WERE TRIED IN ABSENTIA.

1B. DISAPPEARANCE

THERE WERE FEW NEW CASES OF DISAPPEARANCES REPORTED. AT YEAR'S END, THE GOVERNMENT REPORTED MORE THAN 2,800 CASES OF MISSING PERSONS STILL UNRESOLVED FROM THE 1991-1992 WAR. SOME PROGRESS WAS MADE IN REMOVING NAMES FROM THE LIST OF THE MISSING AS A RESULT OF PRISONER AND BODY EXCHANGES, AND IDENTIFICATIONS MADE OF CORPSES EXHUMED IN THE RECLAIMED AREAS. AN UNKNOWN NUMBER OF CASES OF MISSING SERBS REMAINED OPEN AT THE END OF THE YEAR AS A RESULT OF THE TWO GOVERNMENT OFFENSIVES. THE GOVERNMENT MADE NO PUBLIC EFFORT TO INVESTIGATE THESE CASES.

1C. TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT

THE CONSTITUTION PROHIBITS TORTURE OR CRUEL OR DEGRADING PUNISHMENT, BUT IN CERTAIN CASES, GOVERNMENT FORCES CONTINUED TO COMMIT SUCH ABUSES. SECURITY FORCES AT CERTAIN PRISONS BEAT AND MISTREATED PRISONERS DURING DETENTION AND INTERROGATION. AFTER BOTH OFFENSIVES, FOREIGN OBSERVERS SAW THE WOUNDS OF REBEL SERB DETAINEES WHO COMPLAINED OF SUCH TREATMENT AT DETENTION CENTERS, IN VARAZDIN IN MAY FOR EXAMPLE, AND OTHER SITES. SUCH CASES WERE NOT ROUTINE, AND THERE WAS NO EVIDENCE OF SYSTEMATIC

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TORTURE IN CROATIAN JAILS. MOST SERB DETAINEES INTERVIEWED BY INTERNATIONAL MONITORS REPORTED GOOD TREATMENT AT THE HANDS OF THEIR JAILERS. THERE WERE NO REPORTS OF ABUSES OR MISTREATMENT OF COMMON CRIMINALS ARRESTED AND DETAINED IN CROATIAN JAILS.

EXCEPT FOR THE SHORT-TERM DETENTION FACILITIES USED TO HOUSE CIVILIANS ROUNDED UP AFTER THE MILITARY ACTIONS, DETENTION FACILITIES GENERALLY MEET ACCEPTED STANDARDS OF CLEANLINESS, NUTRITION, AND AMENITIES. JAILS ARE CROWDED, BUT NOT TO EXCESS, AND FAMILY VISITS AND ACCESS TO COUNSEL ARE AVAILABLE. DETAINED REBEL SERBS ARRESTED FOR ARMED REBELLION WERE MAINLY HELD IN MILITARY PRISONS, AS WITH MOST SECURITY PRISONERS. AFTER THE AUGUST OFFENSIVE, THE GOVERNMENT INCREASINGLY RESTRICTED ACCESS TO THESE SERB PRISONERS BY UNCRO AND OTHER INTERNATIONAL OBSERVERS.

PRISON CONDITIONS IN THE SERB-CONTROLLED AREAS ARE RELIABLY REPORTED TO BE ABYSMAL. HARSH TREATMENT OF NON-SERBS IS COMMONPLACE, AND SERBIAN "AUTHORITIES" DO NOT PUNISH ABUSERS. IN MARCH, A BRITISH CITIZEN OF CROATIAN DESCENT WAS DETAINED FOR A MONTH IN KNIN AND TORTURED WITH ELECTRIC IMPLEMENTS. TWO OF THE THREE GARBAGE COLLECTORS MENTIONED IN SECTION 1.A COMPLAINED OF TORTURE AND OTHER MISTREATMENT DURING THEIR DETAINMENT. ARRESTEES OFTEN REPORT BEING BEATEN AND ROBBED BY LOCAL POLICE AND PARAMILITARY FORCES, AS WELL AS SUBJECTED TO PSYCHOLOGICAL TORTURE, SUCH AS DEATH THREATS.

1D. ARBITRARY ARREST, DETENTION, OR EXILE

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THE CONSTITUTION CONTAINS PROVISIONS TO PROTECT THE LEGAL RIGHTS OF ALL ACCUSED, BUT THE GOVERNMENT DOES NOT ALWAYS RESPECT THESE RIGHTS IN PRACTICE. THE GOVERNMENT FREQUENTLY ABUSES PRETRIAL AND INVESTIGATIVE DETENTION. THE MOST PROMINENT CASE OF ARBITRARY ARREST OCCURRED IN LATE OCTOBER WHEN 15 PERSONS, MOSTLY PROMINENT ETHNIC SERBS, WERE DETAINED FOR ESPIONAGE. THE COURTS HAD NEITHER RELEASED NOR CHARGED ANY OF THEM WITH A CRIME BY THE END OF THE YEAR. ARMY SPECIAL FORCES TROOPS ARBITRARILY ARRESTED SEVERAL DOZEN REBEL BOSNIAN MUSLIM REFUGEES IN THE KUPLJENSKO CAMP AT THE END OF THE YEAR AND FORCIBLY REPATRIATED THEM TO BOSNIA. REFUGEE ORGANIZATIONS CONTINUED TO REPORT SIMILAR INSTANCES IN WHICH MUSLIM REFUGEES WERE ARBITRARILY DETAINED AND THREATENED WITH FORCIBLE EXPULSION.

GOVERNMENT POLICE AND MILITARY FORCES ROUNDED UP THE

AFTER ARREST, THE LAW STATES PERSONS MUST BE GIVEN ACCESS TO AN ATTORNEY OF THEIR CHOICE WITHIN 24 HOURS; IF THEY HAVE NO ATTORNEY, AND ARE CHARGED WITH A CRIME FOR WHICH THE SENTENCE IS OVER TEN YEARS IMPRISONMENT OR MORE, THE INTERROGATING MAGISTRATE WILL APPOINT ONE FROM A LIST OF PUBLIC DEFENDERS. IF THE SENTENCE IS UNDER 10 YEARS, THE DETAINEE CAN REQUEST COURT-APPOINTED COUNSEL IF HE SO CHOOSES. THE COURT WILL APPOINT COUNSEL AFTER CHARGES ARE

LEVIED FOR THE TRIAL. THE INTERROGATING JUDGE MUST, WITHIN THREE DAYS OF THE ARREST, DECIDE WHETHER SUFFICIENT CAUSE EXISTS TO HOLD THE ARRESTEE IN CUSTODY PENDING FURTHER INVESTIGATION. THE JUDGE MUST JUSTIFY THE DECISION IN WRITING, INCLUDING THE LENGTH OF DETENTION ORDERED. THESE DECISIONS MAY BE APPEALED, EITHER IMMEDIATELY OR LATER IN THE DETENTION PERIOD. THE USUAL PERIOD OF INVESTIGATIVE DETENTION VARIES FROM A FEW DAYS TO A FEW WEEKS BUT BY LAW MAY BE AS LONG AS TWO YEARS. THOSE PERSONS HELD UNDER INVESTIGATIVE DETENTION ARE OFTEN

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DENIED CERTAIN RIGHTS, SUCH AS VISITS, UNTIL THEY ARE OFFICIALLY CHARGED. ACCUSED PERSONS HAVE THE RIGHT TO HAVE THEIR ATTORNEY PRESENT DURING THE ENTIRE INVESTIGATION AS WELL AS DURING ANY APPEAL OF INVESTIGATIVE DETENTION.

IN PRACTICE, ARRESTEES ARE ALMOST ALWAYS BOUND OVER FOR INVESTIGATION UNLESS IT IS CLEAR NO CASE EXISTS AGAINST THEM. ONCE THE INVESTIGATION IS COMPLETE, PERSONS ARE USUALLY RELEASED ON THEIR OWN RECOGNIZANCE PENDING TRIAL, UNLESS THE CRIME IS A MAJOR OFFENSE, THE ACCUSED IS CONSIDERED A PUBLIC DANGER, OR THE COURT BELIEVES HE MAY FLEE. THERE ARE PROVISIONS FOR POSTING BAIL AFTER CHARGES ARE BROUGHT, BUT THE PRACTICE IS NOT COMMON. POLICE WILL SOMETIMES RETAIN THE ACCUSED'S PASSPORT TO PREVENT HIM FROM LEAVING THE COUNTRY.

BY LAW, REBEL SERBS DETAINED AFTER THE TWO OFFENSIVES COULD BE HELD UNDER INVESTIGATION, PENDING CHARGES, FOR SIX MONTHS. IN MANY CASES, "RSK" SERBS ARRESTED FOR ARMED REBELLION DID NOT HAVE ADEQUATE ACCESS TO LEGAL COUNSEL, NOR WERE THEY INFORMED IN A TIMELY MANNER BY THE COURTS OF THEIR RIGHTS. FEW WERE APPOINTED A PUBLIC DEFENDER UNTIL MONTHS AFTER THEIR ARREST; SOME SAW COUNSEL ONLY ONCE OR TWICE, USUALLY ONLY DURING A COURT HEARING. ALTHOUGH THEY HAD BEEN IN INVESTIGATIVE DETENTION FOR SIX MONTHS, MANY SUCH SERBS WERE TRIED AND CONVICTED IN TWO DAYS IN NOVEMBER AND DECEMBER, HAVING SPOKEN TO THEIR LAWYER ONLY ONCE. THE CROATIAN BAR ASSOCIATION WARNED THE MAGISTRATES AND MEMBERS THAT ADEQUATE COUNSEL MUST BE PROVIDED TO THESE DETAINEES. THE BEST ESTIMATE OF THE NUMBER OF REBEL

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SERB DETAINEES IN THE COUNTRY BY THE END OF THE YEAR WAS 700-900.

IN REBEL SERB-CONTROLLED AREAS, VIRTUALLY NO SAFEGUARDS EXIST AGAINST ARBITRARY DETENTION, AND SERB FORCES CONTINUED TO USE DETENTION AS AN INTIMIDATION TACTIC. SERB FORCES COMMONLY ARRESTED CIVILIANS IN THE "SEPARATION ZONE." THE INCIDENT INVOLVING THE OSIJEK GARBAGE COLLECTORS REMAINED THE MOST PUBLICIZED DURING THE YEAR. IN JANUARY, A FRENCH JOURNALIST WAS ARRESTED FOR ILLEGALLY CROSSING INTO "RSK" TERRITORY, AND WAS SENTENCED BY A MILITARY COURT TO 2.5 YEARS IN PRISON. IN NOVEMBER, TWO AMERICANS WERE DETAINED FOR THREE DAYS BY VUKOVAR LOCAL AUTHORITIES FOR TAKING PICTURES. UNTIL AUGUST, RESIDENTS OF THE "BIHAC POCKET" IN WESTERN BOSNIA-HERZEGOVINA WERE SOMETIMES ARBITRARILY DETAINED, WHILE TRANSITING SERB-HELD TERRITORY TO THE OUTSIDE WORLD.

THE CONSTITUTION PROHIBITS EXILE OF CROATIAN CITIZENS. SERBS CAPTURED DURING THE OFFENSIVES AND NOT ORIGINATING FROM CROATIAN TERRITORY WERE SUBJECT TO DEPORTATION AFTER THEY SERVED THEIR SENTENCES FOR WAR CRIMES.

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1E. DENIAL OF FAIR PUBLIC TRIAL

THE CROATIAN JUDICIAL SYSTEM CONSISTS OF MUNICIPAL AND DISTRICT COURTS, A SUPREME COURT, AND A CONSTITUTIONAL COURT. THE SUPREME COURT, OR HIGH JUDICIAL COUNCIL (WITH A PRESIDENT AND 14 MEMBERS FROM ALL PARTS OF THE LEGAL COMMUNITY), APPOINTS JUDGES AND PUBLIC PROSECUTORS.

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JUDICIAL TENURE CAN BE PERMANENT. THE UPPER HOUSE OF PARLIAMENT NOMINATES PERSONS FOR MEMBERSHIP ON THE HIGH JUDICIAL COUNCIL, AND THE LOWER HOUSE ELECTS MEMBERS TO EIGHT-YEAR TERMS. THE ELEVEN JUDGES OF THE CONSTITUTIONAL COURT ARE ELECTED TO EIGHT-YEAR TERMS IN THE SAME MANNER.

THE JUDICIAL PROCESS IS NOT FREE OF POLITICAL INFLUENCE OR ETHNIC BIAS. DURING REGULARLY-HELD JUDICIARY ELECTIONS IN 1994, A DISPUTE AROSE WHICH RAISED CONCERNS ABOUT THE EXTENT OF POLITICAL CONTROL OVER THE JUDICIARY. IN FEBRUARY, THE STATE JUDICIAL COUNCIL, CONTROLLED BY THE MINISTRY OF JUSTICE AND THE MINISTRY OF ADMINISTRATION, ELECTED NEW JUDGES FOR THE SUPREME COURT, BUT THE CONSTITUTIONAL COURT ORDERED THE NOMINATING PROCEDURE BE REDONE, CLAIMING THE COUNCIL HAD NOT APPOINTED QUALIFIED PERSONNEL. THE CHIEF SUPREME COURT JUSTICE MILAN VUKOVIC LOST HIS APPOINTMENT. MINISTER OF JUSTICE IVICA CRNIC DISPUTED THE ELECTION PROCEDURES AND RESIGNED IN MARCH, SAYING HE DID NOT WISH TO BE INVOLVED IN AN UNDEMOCRATIC AND TOTALITARIAN PROCEDURE.

IN SEPTEMBER, THE GOVERNMENT REPEALED CERTAIN PROVISIONS OF THE 1992 CONSTITUTIONAL LAW ON MINORITIES, WHICH INCLUDED THE ESTABLISHMENT OF A PROVISIONAL COURT OF HUMAN RIGHTS, A COURT WHICH HAD NEVER BEEN ESTABLISHED (SEE SECTION 3). EMERGENCY MEASURES ESTABLISHED IN 1991 ARE STILL BEING APPLIED. THESE ORDERS PROVIDE FOR THE SUSPENSION OF CERTAIN LEGAL REMEDIES IN LEGAL PROCEEDINGS AND GIVE THE SIX-COURT MILITARY LEGAL SYSTEM JURISDICTION OVER A LARGE NUMBER OF CASES INVOLVING CIVILIANS.

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ALTHOUGH THE CONSTITUTION PROVIDES FOR THE RIGHT TO A FAIR  
TRAIL AND A VARIETY OF DUE PROCESS RIGHTS IN BOTH CIVILIAN  
AND MILITARY COURTS, IN PRACTICE, THE PROSECUTING ATTORNEY  
HAS LEEWAY IN DECIDING WHETHER TO BRING A CASE AGAINST AN  
INDIVIDUAL, AND, IN CASES CONSIDERED "POLITICAL," BOTH THE  
INDICTMENT AND THE CONDUCT OF TRIALS ARE SOMETIMES SUBJECT  
TO OUTSIDE INFLUENCE. REBEL SERBS DETAINED UNDER  
INVESTIGATIVE DETENTION WERE OFTEN HELD BASED ON  
CIRCUMSTANTIAL EVIDENCE AND UNCERTAIN TESTIMONY. COURT  
AUTHORITIES, INCLUDING THE DETAINEES' OWN COURT-APPOINTED  
DEFENSE COUNSEL, OFTEN DISPLAYED A STRONG BIAS AGAINST  
THEM. A MAJORITY OF JUDGES TOOK MONTH-LONG VACATIONS IN  
MID-AUGUST, FURTHER POSTPONING INVESTIGATIVE HEARINGS.  
LARGE NUMBERS OF DETAINEES NEVER RECEIVED LEGAL COUNSEL.  
INTERNATIONAL TRIAL OBSERVERS CLAIMED WITNESSES OFTEN  
CHANGED THEIR STORIES AND GAVE UNCLEAR TESTIMONY.

THE LEGAL SYSTEM IN THE SERB-CONTROLLED REGIONS REMAINED A  
SHAM, WITH ITS PROCEDURES AND PRACTICES OPEN TO ABSOLUTE  
OUTSIDE INTERFERENCE BY THOSE IN POWER.

1F. ARBITRARY INTERFERENCE WITH PRIVACY, FAMILY, HOME, OR  
CORRESPONDENCE

THE CROATIAN CONSTITUTION DECLARES THE HOME INVIOABLE.  
ONLY A COURT MAY ISSUE A SEARCH WARRANT, STATING THE  
JUSTIFICATION FOR THE SEARCH OF A HOME OR OTHER PREMISES.  
POLICE MAY ENTER A HOME WITHOUT A WARRANT OR THE OWNER'S  
CONSENT ONLY IF NECESSARY TO ENFORCE AN ARREST WARRANT,  
APPREHEND A SUSPECT, OR PREVENT SERIOUS DANGER TO LIFE OR  
IMPORTANT PROPERTY. IN PRACTICE, THE AUTHORITIES OFTEN  
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FAILED TO ADHERE TO THESE CONSTITUTIONAL REQUIREMENTS.

INTERNATIONAL OBSERVERS WITNESSED THE MASS LOOTING,  
DESTRUCTION, AND BURNING OF PROPERTY IN THE RECLAIMED  
TERRITORIES BY BOTH OFFICIAL MILITARY AND CIVILIAN  
PERSONNEL, AND BY UNHINDERED CIVILIANS ALLOWED TO ROAM THE  
AREA. WITHIN DAYS OF THE START OF THE MAY AND AUGUST  
OFFENSIVES, THE FIRST CASES OF HOUSE BURNINGS WERE  
REPORTED. OVER ONE-THIRD OF THE BUILDINGS IN THE FORMER  
SECTORS NORTH AND SOUTH WERE BURNED WITHIN TWO MONTHS OF  
THE AUGUST WAR. ANOTHER THIRD WAS HEAVILY DAMAGED AND  
UNINHABITABLE. THE VILLAGE OF DONJI LAPAC AND MANY OTHERS  
WITH A PREDOMINANT SERB POPULATION WERE BURNED TO THE  
GROUND. FROM EARLY AUGUST UNTIL THE END OF THE YEAR,  
INTERNATIONAL HUMAN RIGHTS MONITORS REPORTED DAILY  
INCIDENTS OF LOOTING, BURNING, AND THREATS MADE TO THE  
REMAINING LOCAL POPULATION. MONITORS CONTINUALLY REPORTED  
THE NAMES AND LICENSE NUMBERS TO GOVERNMENT AUTHORITIES.  
MOST PEOPLE DETAINED FOR LOOTING AND ARSON WERE RELEASED  
AFTER QUESTIONING PENDING FURTHER INVESTIGATION. SECURITY  
PERSONNEL AND MILITARY COMMANDERS GENERALLY DID NOTHING TO  
STOP THIS DESTRUCTION, AND LOCAL AND INTERNATIONAL

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	SRPP-00	EB-01	ED-01	HHS-01	H-01	SSA-01	TEDE-00

INR-00 IO-00 LAB-01 L-01 ADS-00 NSAE-00 NSCE-00  
OIC-02 PRS-01 P-00 SCT-00 SP-00 STR-00 TRSE-00  
USIE-00 PRM-10 PRME-01 PRMC-01 DRL-09 G-00 /033W  
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TAGS:  
SUBJECT: HUMAN RIGHTS REPORT FOR CROATIA

OBSERVERS OFTEN WITNESSED SECURITY FORCES STARTING THE FIRES AND/OR STANDING BY AS THEY BURNT OUT. OFFICIAL INVESTIGATIONS AND PROSECUTIONS FOR THESE ACTS BEGAN ONLY AFTER INTENSE INTERNATIONAL AND MEDIA PRESSURE ON THE GOVERNMENT, AND WERE VIEWED AS NEITHER SERIOUS NOR COMPLETE. AT THE END OF THE YEAR, THE GOVERNMENT REPORTED TO THE UN THAT IT HAD REGISTERED 2878 CASES OF ARSON AND BROUGHT CHARGES AGAINST ELEVEN PEOPLE. IT HAD IDENTIFIED  
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1054 CASES OF LOOTING, OF WHICH 770 HAD BEEN "CLARIFIED" AND HAD CHARGED 1260 INDIVIDUALS. THE GOVERNMENT PROVIDED NO SUPPORTING DOCUMENTATION FOR THESE CLAIMS.

IN AUGUST, AN OFFICIAL DECREE PLACED UNDER GOVERNMENT ADMINISTRATION THE ABANDONED PROPERTY OF CROATIAN CITIZENS WHO HAD FLED THE COUNTRY FOR SERBIA OR OTHER SERB-CONTROLLED AREAS SINCE THE 1991 WAR. THE GOVERNMENT CLAIMED THIS ACT WAS NECESSARY TO GIVE RETURNING CROAT REFUGEES DECENT SHELTER, AND TO PROTECT THE PROPERTIES FROM LOOTING AND DESTRUCTION. VIEWED INTERNATIONALLY AS A THINLY VEILED ATTEMPT TO PREVENT THE RETURN OF CROATIAN SERBS TO THEIR HOMES, THIS DECREE WAS IMMEDIATELY PASSED INTO LAW BY THE HDZ-CONTROLLED LEGISLATURE. OWNERS WERE ALLOWED A 90-DAY FILING PERIOD TO RECLAIM THEIR PROPERTY, BUT THE COMPLEX PROCEDURES, REQUIRING A CLAIMANT TO PRODUCE CITIZENSHIP DOCUMENTS, WHICH COULD NOT BE OBTAINED OUTSIDE CROATIA, AND TO FILE HIS CLAIM IN CROATIA, WERE PRACTICAL IMPEDIMENTS. ALTHOUGH THE GOVERNMENT EVENTUALLY SET UP PROCESSING CENTERS IN BELGRADE AND OTHER NEARBY CAPITALS, THE PROCEDURE REMAINED SLOW.

MILITARY AND CIVIL POLICE CONTINUED TO CARRY OUT FORCED EVICTIONS, INVOLVING HUNDREDS OF FAMILIES OF ALL NATIONALITIES. IN OTHER CASES, CROATIAN REFUGEES, OFTEN WITH THE APPEARANCE OF OFFICIAL COUNTENANCE, FORCIBLY ENTERED THE HOMES OF ETHNIC SERBS AND OTHER MINORITIES WHO LIVED FOR YEARS IN FAMILY APARTMENTS, BUT WHO WERE THEMSELVES NOT LISTED AS THE OFFICIAL TENANT. ALTHOUGH SUCH EVICTIONS WERE OFTEN DECLARED ILLEGAL IN COURT, AUTHORITIES FORBADE THE POLICE TO REMOVE THE INTRUDERS ON  
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THE BASIS OF A LAW WHICH REQUIRES THAT A NEW HOME BE FOUND FOR THE DISPLACED OR REFUGEE FAMILY BEFORE IT CAN BE REMOVED FROM ANY FORM OF HOUSING, WHETHER LEGALLY OCCUPYING THIS HOUSING OR NOT.

FORCED EVICTIONS OF ETHNIC SERBS, CROATS AND OTHERS FROM FORMER YUGOSLAV NATIONAL ARMY (JNA) APARTMENTS CONTINUED. THE MINISTRY OF DEFENSE REVOKED TENANT RIGHTS OF INDIVIDUALS LIVING IN THE APARTMENTS FOR DECADES IN A SEEMINGLY ARBITRARY MANNER. REFERRING TO PROPERTY LAWS WHICH REMOVE TENANCY RIGHTS AS A RESULT OF ANY SIX-MONTH ABSENCE OR IF THE TENANT WAS RULED TO HAVE ACTED AGAINST THE INTERESTS OF THE REPUBLIC OF CROATIA, THE MINISTRY GRANTED SOLDIERS TENANCY OF THESE OCCUPIED FLATS. THE SOLDIERS FREQUENTLY TOOK RESIDENCES BY FORCE OF ARMS, EITHER EVICTING THE CURRENT TENANTS, OR FORCING THEM TO

CO-HABITATE. IN NOVEMBER, THE GOVERNMENT PASSED A LAW ALLOWING FORMER JNA APARTMENTS TO BE PRIVATIZED. UNLIKE OTHER PRIVATIZATIONS, LEGAL TENANTS HAD RESTRICTED RIGHTS TO PURCHASE THEIR APARTMENTS, AND THE RIGHT TO PURCHASE WAS NOT GUARANTEED. FAMILY MEMBERS OF THE REGISTERED TENANT WERE NOT ALLOWED PURCHASE RIGHTS, NOR WERE INDIVIDUAL SUSPECTED OF ARMED REBELLION OR WAR CRIMES. HUMAN RIGHTS GROUPS ARE SUING THE GOVERNMENT CONCERNING THE CONSTITUTIONALITY OF THIS LAW.

THE CONSTITUTION GUARANTEES THE SECRECY AND SAFETY OF PERSONAL DATA, BUT IT WAS UNCLEAR IF SUCH GUARANTEES WERE ADHERED TO IN PRACTICE.

LEADERS IN THE SERB-HELD REGIONS SHOWED NO COMPUNCTION  
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ABOUT INTERFERING WITH THE RIGHTS OF THE INHABITANTS OF THOSE AREAS, PARTICULARLY NON-SERBS. UNCRO CONTINUED TO PROVIDE 24-HOUR PATROLS OF SEVERAL MINORITY VILLAGES TO PROTECT THE INHABITANTS FROM ARMED BANDS. THE PRACTICE OF FORCIBLY MOVING SERBIAN REFUGEES OR SOLDIERS INTO THE HOMES OF NON-SERB RESIDENTS CONTINUED AS WELL.

1G. USE OF EXCESSIVE FORCE AND VIOLATIONS OF HUMANITARIAN LAW IN INTERNAL CONFLICTS

IN THE EARLY MORNING HOURS OF MAY 1, SPECIAL POLICE UNITS AND GOVERNMENT TROOPS INITIATED "OPERATION FLASH," AN ATTACK TO LIBERATE OCCUPIED WESTERN SLAVONIA. ANNOUNCED AS A "LIMITED POLICE ACTION" TO GAIN CONTROL OF THE ZAGREB-LIPOVAC HIGHWAY, GOVERNMENT FORCES GAINED EFFECTIVE CONTROL OF MOST OF THE AREA WITHIN ONE DAY AND A CEASEFIRE WAS REACHED ON THE AFTERNOON OF MAY 3. HV TROOPS RESTRICTED THE MOVEMENT OF UNCRO FORCES AND SURROUNDED MOST UN BASES, INCLUDING A JORDANIAN BASE ALONG THE HIGHWAY AND A NEPALESE BASE AT PUSTARA. ALTHOUGH TENSIONS HAD BEEN BUILDING FOR MANY WEEKS, THE DIRECT PRETEXT FOR THE ATTACK WAS THE MURDER OF THREE CROATS SHOT ON THE

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	OIC-02	PRS-01	P-00	SCT-00	SP-00	STR-00	TRSE-00
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TAGS:  
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HIGHWAY BY A SNIPER FROM BEHIND SERB LINES.

REBEL SERB FORCES REACTED BY SHELLING SEVERAL CITIES, INCLUDING ZAGREB, DUBROVNIK, KARLOVAC, KUTINA, NOVA GRADISKA, NOVSKA, PAKRAC, OSIJEK, SISAK, AND ZUPANJA. ZAGREB WAS SHELLED ON TWO SEPARATE OCCASIONS WITH ORKAN ANTI-PERSONNEL CLUSTER BOMBS. AMONG THE SITES HIT WERE A CHILDREN'S HOSPITAL AND THE NATIONAL THEATER. THE END  
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RESULT WAS 6 DEAD AND MORE THAN 130 WOUNDED. "RSK PRESIDENT" MILAN MARTIC PUBLICLY ANNOUNCED THAT HE HAD PERSONALLY ISSUED THE ORDER FOR THE CAPITAL TO BE SHELLED. DAYS LATER, HE THREATENED AGAIN TO "FLATTEN THE CITY" AND KILL "ONE HUNDRED THOUSAND PEOPLE." IN OCTOBER, MARTIC WAS INDICTED WITH TWO OTHER "RSK OFFICIALS" BY THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA (ICTY) FOR THIS INCIDENT.

OVER SEVEN THOUSAND REFUGEES FLED IN FRONT OF ADVANCING HV TROOPS OVER THE ONLY BRIDGE ACROSS THE SAVA RIVER TO SERB-HELD BOSNIA. GOVERNMENT FORCES LEFT THIS ROAD OPEN TO ALLOW THE INHABITANTS TO EVACUATE. A POCKET OF SERBS UNABLE TO LEAVE THE NORTHERN PART OF THE SECTOR WAS SURROUNDED BY HV FORCES AND SURRENDERED.

ON AUGUST 4, GOVERNMENT FORCES LAUNCHED THE LARGER SCALE "OPERATION STORM" ON THE FORMER SECTORS NORTH AND SOUTH, AND GAINED EFFECTIVE CONTROL OF THE AREA WITHIN FIVE DAYS. THE ATTACK BEGAN WITH THE SHELLING OF THE SERB STRONGHOLD OF KNIN, A CIVILIAN TARGET. REBEL SERB FORCES ORGANIZED A WEAK COUNTEROFFENSIVE AND QUICKLY PREPARED AN EVACUATION OF BOTH MILITARY AND CIVILIAN PERSONNEL FROM THE AREA. "PRESIDENT OF THE RSK PARLIAMENT," RAJKO LEZAJIC, LATER ACCUSED MARTIC AND MILITARY COMMANDER MRKSIC OF ORDERING THE EVACUATION OF THE POPULATION. BOSNIAN SERBS SHELLED SEVERAL CITIES IN GOVERNMENT-CONTROLLED CROATIA ALTHOUGH ZAGREB WAS NOT HIT.

ALTHOUGH REPORTEDLY ORDERED TO STAY AWAY FROM CIVILIAN TARGETS, GOVERNMENT FORCES WERE RESPONSIBLE FOR THE  
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INDISCRIMINATE DEATHS OF MANY CIVILIANS AND UN PERSONNEL DURING BOTH ACTIONS. THE GOVERNMENT LATER CLAIMED THAT 188 SERBS HAD BEEN KILLED DURING THE MAY ACTION, OF WHICH 54 DEATHS WERE CIVILIAN. AFTER THE AUGUST ATTACK, THE GOVERNMENT ANNOUNCED THAT 116 SERBS AND 42 CROAT CIVILIANS HAD BEEN KILLED, AS WELL AS 402 "RSK" SOLDIERS AND 211 HV TROOPS. UNCRO ESTIMATES OF THESE FIGURES ARE HIGHER. DURING OPERATION FLASH, THE UN REPORTED 30 CIVILIAN CORPSES NEAR THE VILLAGE OF NOVI VAROS. EYEWITNESS REPORTED SOLDIERS SHOOTING AT FLEEING REFUGEES. ON AUGUST 8 NEAR DVOR, CROATIAN AIR FORCE SORTIES FIRED ON A REFUGEE COLUMN FLEEING INTO BOSNIA. THE GOVERNMENT CLAIMED THAT THE SERBS WERE MOVING TANKS AND OTHER HEAVY EQUIPMENT IN THE SAME COLUMN. ONE WOMAN DIED FROM WOUNDS SHE RECEIVED WHEN A REFUGEE COLUMN WAS STONED ON AUGUST 9 BY ON-LOOKERS IN SISAK. THAT SAME DAY, A BRITISH JOURNALIST WAS KILLED AND TWO OTHERS WERE WOUNDED NEAR VIRGINMOST, MISTAKENLY TARGETED AS SERBS BY HV FORCES.

BOSNIAN GOVERNMENT ARMY (ABH) FORCES ENTERED CROATIA DURING THE AUGUST OFFENSIVE WITH CROATIAN GOVERNMENT CONSENT. WHILE ESCORTING A REFUGEE COLUMN IN AUGUST, UNCRO PERSONNEL WITNESSED THE DELIBERATE SHOOTING OF 9-11 MENTALLY AND PHYSICALLY HANDICAPPED SERB REFUGEES BY IRREGULAR UNITS OF THE ABH. ABH FORCES ALSO SHELLED A SERB REFUGEE COLUMN IN DONJI ZIROVAC ON AUGUST 8.

DURING THE OFFENSIVES, THE UN SUFFERED CASUALTIES FROM BOTH SIDES. HV FORCES THREATENED AND CAPTURED UN OBSERVATION POSTS, HOLDING SOME PERSONNEL HOSTAGE FOR SEVERAL HOURS. THESE FORCES LOOTED MANY ABANDONED UN  
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COMPOUNDS. WHEN HV TROOPS ENTERED KNIN IN AUGUST, THEY  
PREVENTED ANYONE FROM LEAVING THE UN COMPOUND TO MONITOR  
THE FIGHTING. A DANISH UNCRO SOLDIER WAS USED BY REBEL  
SERBS AS A HUMAN SHIELD AND WAS KILLED BY HV FIRE. THE  
OFFICER RESPONSIBLE FOR THE ORDER TO SHOOT WAS ARRESTED  
AND A MURDER CHARGE IS PENDING AGAINST HIM. HV FORCES  
THREW A GRENADE INTO A JORDANIAN BATTALION BUNKER,  
RESULTING IN 4-6 DEATHS. (SEE SECTION 1.A FOR DEATHS  
FOLLOWING THE ACTION.)

BOTH POLICE AND MILITARY FORCES WERE RESPONSIBLE FOR  
LOOTING AND THE DESTRUCTION OF PROPERTY, INCLUDING THE  
MINING AND BURNING OF HOUSES. THIS DESTRUCTION CONTINUED  
MANY MONTHS AFTER THE COMPLETION OF THE ACTION AND WAS  
LATER COMMITTED BY ROVING CIVILIANS AS WELL. (SEE SECTION  
1.F FOR MORE DETAILS.)

ELSEWHERE, ISOLATED CEASEFIRE VIOLATIONS CAUSED AT LEAST  
THREE FATALITIES. OCCASIONAL SHELLING OCCURRED THROUGHOUT  
THE YEAR FROM BOSNIAN SERB POSITIONS BORDERING CROATIA,  
MOST COMMONLY TARGETING ZUPANJA, OSIJEK, AND THE DUBROVNIK  
AREA. DUBROVNIK AIRPORT WAS SHELLED IN APRIL, MAY,

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	INR-00	IO-00	LAB-01	L-01	ADS-00	NSAE-00	NSCE-00
	OIC-02	PRS-01	P-00	SCT-00	SP-00	STR-00	TRSE-00
	USIE-00	PRM-10	PRME-01	PRMC-01	DRL-09	G-00	/033W

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AUGUST, AND OCTOBER. THREE YOUNG ADULTS WERE KILLED IN A  
SUBURB OF DUBROVNIK FROM INDISCRIMINATE SHELLING IN  
OCTOBER. THESE ATTACKS ALSO CAUSED SUBSTANTIAL PROPERTY  
DAMAGE.

SEVERAL DEATHS OCCURRED THROUGHOUT THE YEAR FROM MINES.  
THE WIDE EXTENT OF MINE-LAYING DURING THE CONFLICT WAS  
INCREASINGLY EVIDENT AFTER HV FORCES GAINED CONTROL OF THE  
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THREE SECTORS. SOLDIERS AND CIVILIANS FROM BOTH SIDES, AS  
WELL AS UNCRO PERSONNEL WERE VICTIMS OF UNMARKED AND  
UNCLEARED MINEFIELDS.

EXPULSIONS OF CROATS, HUNGARIANS, SLOVAKS, CZECHS, AND  
OTHER NON-SERBS CONTINUED IN SERB-OCCUPIED AREAS  
THROUGHOUT THE YEAR, WITH THE NUMBER OF INCIDENTS  
INCREASING IN THE REMAINING SERB-HELD TERRITORIES AFTER  
EACH OF THE TWO GOVERNMENT ATTACKS. BLESSED BY LOCAL  
"OFFICIALS," THESE EXPULSIONS SERVED THE GOAL OF  
ETHNICALLY-CLEANSING THE REGION OF MINORITIES.

SECTION 2. RESPECT FOR CIVIL LIBERTIES, INCLUDING:

1A. FREEDOM OF SPEECH AND PRESS

THE CONSTITUTION PROVIDES FOR FREEDOM OF THOUGHT AND  
EXPRESSION, SPECIFICALLY INCLUDING FREEDOM OF THE PRESS  
AND OTHER MEDIA OF COMMUNICATION, SPEECH, AND PUBLIC  
EXPRESSION, AND FREE ESTABLISHMENT OF INSTITUTIONS OF  
PUBLIC COMMUNICATION. IN PRACTICE, GOVERNMENT INFLUENCE  
ON THE MEDIA THROUGH STATE OWNERSHIP OF MOST PRINT AND  
BROADCAST OUTLETS LIMITS THESE FREEDOMS. IN ADDITION,  
GOVERNMENT INTIMIDATION INDUCES SELF-CENSORSHIP.  
JOURNALISTS ARE SOMETIMES RELUCTANT TO CRITICIZE THE  
GOVERNMENT IN PUBLIC FORUMS FOR FEAR OF HARASSMENT, JOB  
LOSS, INTIMIDATION, OR BEING LABELED AS DISLOYAL TO  
CROATIA.

THE GOVERNMENT CONTROLS ALL NATIONAL TELEVISION  
BROADCASTING AND NATIONAL RADIO STATIONS, AND RETAINS A  
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CONTROLLING INTEREST IN TWO OF FOUR NEWS DAILIES, AND SOME  
WEEKLY NEWSPAPERS. ALTHOUGH THESE STATE-CONTROLLED OR  
HEAVILY STATE-INFLUENCED MEDIA FREQUENTLY CARRY REPORTAGE  
CRITICAL OF THE GOVERNMENT, THEY MAINTAIN AN OVERALL  
EDITORIAL SLANT FAVORABLE TO THE GOVERNMENT AND THE  
GOVERNING PARTY, THE HDZ. BOTH THE BROADCAST AND PRINT  
MEDIA ALSO OFTEN EXCLUDE NEWS REPORTS THAT PUT CROATIA OR  
ITS GOVERNMENT IN AN UNFAVORABLE LIGHT. HRT HAS SEVERAL  
TIMES NOT BROADCAST STATEMENTS MADE IN HIGHLY PUBLIC FORA  
BY THE U.S. AMBASSADOR ON THE NEED TO OBSERVE HUMAN AND  
MINORITY RIGHTS; ON AT LEAST ONE OCCASION, IT EMPLOYED  
SOME CREATIVE EDITING OF A REPORT FEATURING THE AMBASSADOR  
TO DO SO. EACH OF THE OPPOSITION PARTIES IS ALLOCATED  
FOUR MINUTES OF TELEVISION TIME PER WEEK. ACCESS BY THE  
PARTIES TO THE PRINT MEDIA IS MINIMAL, WITH OCCASIONAL  
COVERAGE OF PRESS CONFERENCES AND INTERVIEWS.

DURING OCTOBER'S PARLIAMENTARY ELECTIONS, ONE HOUR OF FREE  
BROADCAST TIME ON NATIONAL TELEVISION WAS MADE AVAILABLE  
TO EACH OF THE REGISTERED POLITICAL PARTIES FOR THE PRE-  
ELECTION CAMPAIGN. TIME SLOTS WERE DRAWN BY LOT. PAID  
ADVERTISING ON NATIONAL TELEVISION WAS, IN THEORY,  
AVAILABLE, BUT STATE-CONTROLLED CROATIAN RADIO AND  
TELEVISION (HRT) REFUSED TO RUN ADVERTISING SPOTS FROM ONE  
OF THE MAJOR OPPOSITION PARTIES ON THE GROUNDS THAT SOME -  
-UNSPECIFIED-- INFORMATION IN THE AD WAS INACCURATE AND  
THAT THE AD DID NOT MAKE CLEAR WHAT PARTY WAS PLACING IT.  
THE HDZ HAD AN ADVERTISING BUDGET THAT DWARFED THAT OF ITS  
RIVALS, AND IT MADE HEAVY USE OF THIS BUDGET TO BUY AIR  
TIME ON THE NATIONAL, STATE-CONTROLLED TELEVISION NETWORK  
DURING THE ELECTION CAMPAIGN.

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A FEW NEWSPAPERS CONTINUE TO GUARD THEIR INDEPENDENCE,  
INCLUDING THE DAILY NOVI LIST IN RIJEKA, THE WEEKLY  
GLOBUS, THE INTELLECTUAL BIMONTHLY JOURNAL ERASMUS, THE  
SATIRICAL WEEKLY FERAL TRIBUNE, AND THE WEEKLY ARKZIN,  
PUBLISHED BY THE "ANTI-WAR CAMPAIGN." SOME EXTREMIST  
PUBLICATIONS, WITH A VIRULENTLY ANTIGOVERNMENT SLANT, CAN  
BE PURCHASED AT NEWSSTANDS, ALTHOUGH THEY HAVE A VERY  
SMALL CIRCULATION. THE HIGHLY POPULAR AND OFTEN CRITICAL  
FERAL TRIBUNE WAS SUBJECTED TO A 50 PERCENT TURNOVER TAX  
IN 1994, THOUGH IN MARCH 1995, UNDER PRESSURE FROM THE EU,

GOVERNMENT INFLUENCE OVER THE RECENTLY-PRIVATIZED DISTRIBUTION NETWORK, COUPLED WITH STIFF VALUE-ADDED TAXES LEVIED AT SEVERAL POINTS DURING THE PRODUCTION PROCESS, ALSO HAS AN IMPACT ON PRESS FREEDOM. IT IS CLAIMED, THOUGH DIFFICULT TO PROVE, THAT THE FEW PRINTING COMPANIES ABLE TO REPRODUCE NEWSPAPERS DO NOT CHARGE THE PRO-GOVERNMENT MEDIA FOR THEIR SERVICES; IT IS ALSO WIDELY BELIEVED THAT TISAK, THE NATIONAL DISTRIBUTOR FOR ALL NEWSPAPERS AND MAGAZINES, REMOVES INDEPENDENT JOURNALS

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VERY QUICKLY FROM ITS NEWSSTANDS WHILE AT THE SAME TIME CHARGING THEM A HIGH PERCENTAGE OF THE COVER PRICE FOR ITS SERVICES. CERTAIN INDEPENDENT NEWSPAPERS AND MAGAZINES CLAIM THAT THEY MUST PAY OUT MORE THAN 50 PERCENT OF THEIR GROSS REVENUES FOR TAXES AND DISTRIBUTION COSTS ALONE. ON THE OTHER HAND, THE HIGH CIRCULATION OF SOME POPULAR INDEPENDENT PERIODICALS, GLOBUS BEING THE MOST VISIBLE EXAMPLE, HAS GIVEN THEM ENOUGH FINANCIAL INDEPENDENCE TO

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THRIVE DESPITE THESE HIGH TAXES AND HIGH COSTS.

INTERNATIONAL PAPERS AND JOURNALS REMAINED AVAILABLE  
THROUGHOUT GOVERNMENT-CONTROLLED AREAS, INCLUDING SERBIAN  
PERIODICALS WHICH SUBSCRIBERS CONTINUED TO RECEIVE BY  
MAIL.

CROATIA HAS THREE NATIONAL TELEVISION CHANNELS, AND A LOCAL TELEVISION STATION IN ZAGREB WHICH REACHES A QUARTER OF THE POPULATION OF CROATIA. ZAGREB-BASED CHANNELS ONE, TWO, AND THREE ARE PART OF THE OFFICIAL CROATIAN RADIO AND TELEVISION ENTERPRISE (HRT), HEADED BY A WELL-KNOWN HDZ MEMBER. REGIONAL STATIONS OPERATE IN ZADAR, SPLIT, VINKOVCI, AND OSIJEK.

IN AUGUST, PARLIAMENT ANNOUNCED THE FIRST ALLOCATIONS OF FREQUENCIES FOR PRIVATE RADIO AND TELEVISION STATIONS UNDER THE JULY 1994 BROADCAST LAW. NO FREQUENCIES FOR NATION-WIDE PRIVATE BROADCASTERS HAVE BEEN ASSIGNED FOR EITHER RADIO OR TELEVISION. TWO OF FOUR PLANNED FREQUENCIES FOR TELEVISION AND FOUR OF TWENTY PLANNED FREQUENCIES FOR RADIO AT THE COUNTY (ZUPANIJA) LEVEL WERE ASSIGNED. NINE OF FIFTEEN PLANNED FREQUENCIES FOR MUNICIPAL LEVEL PRIVATE TELEVISION WERE ASSIGNED AND 88 OF 111 PLANNED FREQUENCIES FOR MUNICIPAL RADIO BROADCASTERS WERE ASSIGNED.

THE BROADCAST LAW MANDATES THAT ONE PARLIAMENTARY MEMBER OF THE COUNCIL FOR CROATIAN TELEVISION BE AN ETHNIC MINORITY REPRESENTATIVE, BUT THIS PERSON HAS NOT YET BEEN APPOINTED.

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IN SERB-CONTROLLED REGIONS, FREEDOM OF SPEECH AND PRESS VIRTUALLY DID NOT EXIST. WITH MARTIAL LAW STILL IN EFFECT, THERE WERE NO GUARANTEES OF PRESS AND OTHER FREEDOMS, AND THE AUTHORITIES CONTROLLED THE TONE AND CONTENT OF THE MEDIA.

AT THE YEAR'S END IN THE ONE REMAINING SERB-OCCUPIED AREA, ONE TELEVISION STATION BROADCASTS FROM STUDIOS IN BELI MANASTIR AND VUKOVAR. A FEW LOW-POWERED LOCAL RADIO STATIONS BROADCAST FROM BARANJA AND EASTERN SLAVONIA. GOVERNMENT RADIO AND TELEVISION SIGNALS ARE RECEIVED IN THESE AREAS AS WELL.

AMONG THE FIRST ACTS THE GOVERNMENT UNDERTOOK AFTER ITS FORCES RETOOK THE KRAJINA WAS TO BEGIN BROADCASTING PROGRAMMING FROM THE HRT REGIONAL STATION IN KNIN.

ACADEMIC FREEDOM IS GENERALLY RESPECTED IN CROATIA.

#### B. FREEDOM OF PEACEFUL ASSEMBLY AND ASSOCIATION

THE CONSTITUTION PROVIDES THAT ALL CITIZENS HAVE THE RIGHT TO PEACEFUL ASSEMBLY AND ASSOCIATION FOR THE PROTECTION OF CITIZENS' INTERESTS OR THE PROMOTION OF SOCIAL, ECONOMIC, POLITICAL, NATIONAL, CULTURAL, AND OTHER CONVICTIONS AND OBJECTIVES AND THE GOVERNMENT RESPECTS THEM IN PRACTICE. IN SERB-CONTROLLED AREAS, HOWEVER, THESE RIGHTS WERE NOT RESPECTED. IN EARLY DECEMBER, OVER 2000 CROAT REFUGEES GATHERED IN ZAGREB FOR THE LARGEST ANTI-GOVERNMENT DEMONSTRATION SINCE INDEPENDENCE TO PROTEST THE DAYTON PEACE AGREEMENT AND THE LOSS OF THEIR HOMES IN BOSNIAN

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POSAVINA TO BOSNIAN SERBS. THE DEMONSTRATION WAS MOSTLY PEACEFUL WITH A FEW ISOLATED INCIDENTS OF POLICE HARASSMENT OF PROTESTORS.

#### C. FREEDOM OF RELIGION

THE CONSTITUTION PROVIDES FOR FREEDOM OF CONSCIENCE AND RELIGION AND FREE PUBLIC PROFESSION OF RELIGIOUS AND OTHER CONVICTIONS. THERE IS NO STATE RELIGION. ALL RELIGIOUS COMMUNITIES ARE FREE TO CONDUCT PUBLIC SERVICES AND TO OPEN AND RUN SOCIAL AND CHARITABLE INSTITUTIONS. ROMAN CATHOLICISM, EASTERN ORTHODOX CHRISTIANITY, AND ISLAM ARE THE MAJOR FAITHS IN CROATIA, AND THERE IS ALSO AN ACTIVE JEWISH COMMUNITY. THE MAJORITY OF PRACTICING CROATS ARE ROMAN CATHOLIC, AND THE GOVERNMENT PROVIDES AN OPTION OF CATHOLIC RELIGIOUS EDUCATION IN SCHOOLS.

THERE ARE NO FORMAL RESTRICTIONS ON RELIGIOUS GROUPS. THE MAIN MOSQUE IN CROATIA IS IN ZAGREB, WHERE IT SERVES NOT ONLY AS A RELIGIOUS CENTER BUT ALSO AS A SOCIAL AID OFFICE FOR THE LARGE BOSNIAN MUSLIM REFUGEE POPULATION. CROATIAN PROTESTANTS FROM A NUMBER OF DENOMINATIONS, AS WELL AS



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FOREIGN CLERGY, ACTIVELY PRACTICE AND PROSELYTIZE, AS DO REPRESENTATIVES OF EASTERN-BASED RELIGIONS. SOME FOREIGN RELIGIOUS ORGANIZATIONS SEEKING TO PROVIDE SOCIAL SERVICES REPORTED BUREAUCRATIC OBSTACLES TO THEIR ESTABLISHMENT IN CROATIA, BUT IT WAS UNCLEAR IF THIS HAD ANY CONNECTION TO THEIR RELIGIOUS CHARACTER.

THE CLOSE IDENTIFICATION OF RELIGION WITH ETHNICITY HAD  
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EARLIER CAUSED RELIGIOUS INSTITUTIONS TO BE TARGETS OF VIOLENCE. THE SERBIAN ORTHODOX CATHEDRAL IN DOWNTOWN ZAGREB IS OPEN, AND SEVERAL OTHER ORTHODOX CHURCHES AND MONASTERIES OPERATE FREELY IN GOVERNMENT-CONTROLLED CROATIA. INTERNATIONAL HUMAN RIGHTS MONITORS SAID THE FEW ORTHODOX PRIESTS AND NUNS WHO REMAINED IN CROATIA AFTER THE 1991 WAR REPORTED GENERALLY GOOD RELATIONS WITH THEIR CATHOLIC NEIGHBORS. AFTER THE MILITARY OFFENSIVES ON WESTERN SLAVONIA AND THE KRAJINA REGION, MILITARY AND POLICE FORCES GUARDED MOST OF THE ORTHODOX CHURCHES TO PREVENT THEM FROM BEING LOOTED OR DESTROYED. HOWEVER, SOME SERB CHURCHES WERE REPORTED BY INTERNATIONAL OBSERVERS TO BE LOOTED OR DAMAGED.

MOST CATHOLIC CHURCHES IN THE SERB-OCCUPIED AREAS HAVE BEEN DESTROYED. IN EASTERN SLAVONIA, ONLY ONE ACTIVE CROATIAN CATHOLIC PRIEST REMAINS. A SLOVAK CATHOLIC PRIEST ARRIVES REGULARLY FROM SERBIA TO HOLD MASSES.

MOST REQUESTS FOR CONSCIENTIOUS OBJECTOR EXEMPTION FROM MILITARY SERVICE WERE GRANTED. THERE IS NO PROVISION FOR CONSCIENTIOUS OBJECTOR STATUS IN THE SERB-OCCUPIED AREAS.

1D. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL, EMIGRATION, AND REPATRIATION

THE CONSTITUTION GENERALLY PROVIDES FOR THESE RIGHTS, WITH CERTAIN RESTRICTIONS. ALL PERSONS LEGALLY IN THE COUNTRY MUST REGISTER THEIR RESIDENCE WITH THE LOCAL AUTHORITIES. UNDER EXCEPTIONAL CIRCUMSTANCES, THE GOVERNMENT MAY LEGALLY RESTRICT THE RIGHT TO ENTER OR LEAVE THE COUNTRY

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IF NECESSARY TO PROTECT THE "LEGAL ORDER, HEALTH, RIGHTS,  
OR FREEDOMS OF OTHERS."

THE GOVERNMENT REFUSED TO ALLOW THE REPATRIATION OF THE  
ALMOST 200,000 REFUGEES WHO FLED THE FIGHTING TO THEIR  
HOMES IN THE FORMER SECTORS NORTH, SOUTH, AND WEST.  
10,000 TO 15,000 SERBS FILED APPLICATIONS TO RETURN BASED  
ON HUMANITARIAN CONSIDERATIONS, BUT ONLY 400 WERE APPROVED  
BY MID-NOVEMBER. APPROVAL WAS GRANTED ONLY IF THE  
INDIVIDUAL HAD IMMEDIATE FAMILY IN CROATIA WHO WOULD  
SPONSOR HIS RETURN, AND COULD PROVE LEGAL RESIDENCE IN  
CROATIA BEFORE INDEPENDENCE. APPROVED RETURNEES DID NOT  
RETURN TO THEIR HOMES IN THE FORMER OCCUPIED AREAS, BUT  
WERE HOUSED BY THEIR FAMILY SPONSOR.

THERE ARE RESTRICTIONS ON FREEDOM OF MOVEMENT FOR ALL  
JOURNALISTS AND ALL MALE CITIZENS FROM AGE 18 THROUGH 55,  
IN THE CITIES AND AREAS CLOSE TO THE CONFRONTATION LINES.  
THE PRESS HAS REPORTED ON SUCH RESTRICTIONS. JOURNALISTS,  
AS WELL AS OTHERS, MUST REQUEST PERMISSION TO ENTER THE  
CONFLICT ZONES.

THE GOVERNMENT IMPOSED NO SIGNIFICANT LEGAL RESTRICTIONS  
ON THE MOVEMENT OF REFUGEES, DISPLACED PERSONS, OR  
NATIONAL MINORITIES RESIDENT IN CROATIA. MANY REFUGEES  
WERE HOUSED IN REMOTE LOCATIONS WITH LITTLE OR NO MEANS OF  
PUBLIC TRANSPORT. THERE WERE SEVERAL CONFIRMED CASES OF  
FORCED RETURN OF REFUGEES TO BOSNIA-HERZEGOVINA,  
ESPECIALLY FROM AMONG THE REBEL MUSLIM REFUGEES FROM THE  
BIHAC CANTON OF BOSNIA-HERZEGOVINA. THE GOVERNMENT TRIED  
TO ENFORCE STRICTLY A POLICY OF ADMITTING NO NEW REFUGEE  
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UNLESS TRANSIT TO A THIRD COUNTRY WAS ASSURED. HOWEVER,  
IN MID-SUMMER, LARGE NUMBERS OF CROAT AND MUSLIM REFUGEES,  
FORCED FROM SERB-HELD NORTHERN BOSNIA BY ETHNIC CLEANSING  
CAMPAIGNS, ENTERED CROATIA VIA A CROSSING OVER THE SAVA  
RIVER AT DAVOR. ETHNIC CROATS WERE REGISTERED AS  
REFUGEES, AS WELL AS A FEW MUSLIMS, BUT MOST MUSLIM  
REFUGEES WERE IMMEDIATELY REPATRIATED TO GOVERNMENT-  
CONTROLLED AREAS OF WESTERN BOSNIA.

THE GOVERNMENT ALSO CONTINUED TO RELOCATE REFUGEES FROM  
COASTAL TOURIST FACILITIES TO INLAND AREAS AND TO  
RECOVERED TERRITORIES. OFTEN THIS POLICY MET RESISTANCE  
FROM REFUGEE GROUPS WHO DID NOT WANT TO MOVE TO BUILDINGS  
WITH FEW MODERN LIVING FACILITIES OR TO BE UPROOTED AND  
SEPARATED FROM THE PEOPLE WITH WHOM THEY HAD SPENT THE  
LAST FOUR YEARS.

THE FORCES OF BOSNIAN MUSLIM REBEL LEADER FIKRET ABDIC  
WERE DEFEATED BY THE BOSNIAN ARMY IN SEPTEMBER AND OVER  
20,000 PEOPLE LEFT THE MUNICIPALITY OF VELIKA Kladusa IN  
NORTHERN BOSNIA AND ENTERED CROATIA. THE GOVERNMENT  
REFUSED TO PROVIDE HARDENED SHELTER AND THE REFUGEES SET

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UP A MAKE-SHIFT CAMP IN THE VILLAGE OF KUPLJENSKO.  
ALTHOUGH UNHCR AND THE INTERNATIONAL COMMUNITY DETERMINED  
THEM TO BE LEGITIMATE REFUGEES FROM BOSNIA, THE GOVERNMENT  
REFUSED TO GRANT THEM THIS STATUS AND SOUGHT WAYS TO  
REPATRIATE THEM.

THE AUTHORITIES IN SERB-CONTROLLED AREAS CONTINUED TO  
ENFORCE A COERCIVE REGIME, INCLUDING CURFEWS AND STRICT  
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TRAVEL LIMITATIONS NEAR THE FRONT LINES. THREATS AGAINST  
THE NON-SERBS IN PROTECTED VILLAGES EFFECTIVELY CONFINED  
THEM TO THEIR HOMES. SERBS WHO CROSSED OVER FROM  
GOVERNMENT-CONTROLLED CROATIA WERE EAGERLY WELCOMED FOR  
PROPAGANDA PURPOSES.

SECTION 3. RESPECT FOR POLITICAL RIGHTS: THE RIGHT OF  
CITIZENS TO CHANGE THEIR GOVERNMENT

CROATIA IS A MULTIPARTY DEMOCRACY IN WHICH ALL CITIZENS 18  
YEARS OF AGE AND OLDER HAVE THE RIGHT TO VOTE BY SECRET  
BALLOT. THE PRESIDENT, ELECTED FOR 5 YEARS, EXERCISES  
SUBSTANTIAL POWER, AUTHORITY, AND INFLUENCE BUT IS  
CONSTITUTIONALLY LIMITED TO TWO TERMS. PARLIAMENT IS  
COMPRISED OF THE HOUSE OF REPRESENTATIVES AND THE HOUSE OF  
ZUPANIJE OR COUNTIES, AND THE CROATIAN DEMOCRATIC UNION  
(HDZ) HOLDS A MAJORITY IN BOTH HOUSES. ITS LEADER,  
PRESIDENT FRANJO TUDJMAN, WAS REELECTED IN 1992.

IN ELECTIONS FOR THE HOUSE OF REPRESENTATIVES, HELD IN  
OCTOBER 1995, THE HDZ AGAIN WON A MAJORITY OF THE SEATS,  
AND ELEVEN OTHER PARTIES ALSO WON SEATS. THE NATIONAL  
DEMOCRATIC INSTITUTE FAULTED THE ELECTION CAMPAIGN ON A  
NUMBER OF POINTS: THE ELECTORAL LAW WAS HASTILY PRESENTED  
TO PARLIAMENT AND PASSED AFTER ONLY A FEW HOURS OF DEBATE;  
A SPECIAL FRANCHISE FOR CROATS LIVING PERMANENTLY OUTSIDE  
THE COUNTRY WAS CREATED TO INCLUDE ALMOST 10 PERCENT OF  
SEATS IN THE PARLIAMENT; ETHNIC SERB REPRESENTATION --  
BASED ON PERCENTAGE OF POPULATION -- WAS DROPPED FROM 13  
SEATS TO 3 WITHOUT THE ASSISTANCE OF A CENSUS; CHANGES IN  
CONSTITUENCY BOUNDARIES APPEARED TO BE ARBITRARY AND NON-  
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TRANSPARENT; STATE-RUN MEDIA RESTRICTED CRITICISM OF  
GOVERNMENT POLICIES AND ACTIVITIES; AND THE ELECTION  
ADMINISTRATION WAS FLAWED, FOR EXAMPLE VOTER LISTS WERE  
OFTEN INACCURATE AND OUTDATED. THE FRANCHISE FOR THE  
DIASPORA INCLUDED ETHNIC CROATS BORN AND RESIDENT IN  
BOSNIA-HERZEGOVINA, BUT EXCLUDED ETHNIC SERBS BORN IN  
CROATIA, WHO WERE LIVING AS REFUGEES IN SERB-CONTROLLED  
AREAS. RULES FOR ACCESS TO THE STATE-OWNED MEDIA  
RESTRICTED OPPOSITION PARTIES' ABILITY TO CRITICIZE  
GOVERNMENT POLICIES AND ACTIVITIES.

DURING THE ELECTION, POLLING PROCEDURES WERE GENERALLY ADHERED TO. POLL WORKERS AND OFFICIALS DEMONSTRATED A GENUINE COMMITMENT TO CONDUCTING THEIR WORK FREELY AND FAIRLY, AND USUALLY WELCOMED THE PRESENCE OF FOREIGN OBSERVERS. THERE WERE, HOWEVER, INCONSISTENCIES AMONG POLLING PLACES, MOST OF WHICH PROBABLY RESULTED FROM A LACK OF TRAINING FOR ELECTION OFFICIALS. PROBLEMS WHICH APPEARED DURING VOTING APPEAR TO HAVE CURTAILED THE RIGHTS OF SOME MINORITY VOTERS. FOR EXAMPLE, THERE WERE REPORTS THAT SOME SERBS WERE NOT ALLOWED TO VOTE FOR THE STATE-WIDE PARTY LIST IF THEY EXERCISED THEIR RIGHT TO VOTE ON THE SPECIAL LIST FOR ETHNIC SERB CANDIDATES AS ALLOWED UNDER THE LAW. CASES OF PASSIVE INTIMIDATION OF SERB VOTERS WERE ALSO REPORTED BY ELECTION OBSERVERS. REPRESENTATIVES OF MOST MINORITY GROUPS (INCLUDING SERBS) COMPLAINED THAT VOTERS HAD BEEN LEFT OFF THE VOTER ROLLS OR HAD BEEN MISCLASSIFIED AS CROATS, AN ERROR WHICH APPLIED TO AN ESTIMATED 10 PERCENT OF MINORITY VOTERS IN SOME AREAS, ACCORDING TO A NUMBER OF ELECTION OBSERVERS.

ALTHOUGH THERE ARE NO LEGAL RESTRICTIONS ON PARTICIPATION  
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BY WOMEN OR MINORITIES IN THE POLITICAL PROCESS, THEY ARE REPRESENTED IN ONLY SMALL NUMBERS IN PARLIAMENT, THE EXECUTIVE BRANCH, AND COURTS. FIFTEEN WOMEN HOLD SEATS IN PARLIAMENT; ONE IS THE PRESIDENT OF THE HOUSE OF COUNTIES. CROATIAN ELECTION LAW REQUIRES REPRESENTATION FOR MINORITIES IN PARLIAMENT, WITH PROPORTIONAL REPRESENTATION FOR ANY MINORITY THAT MAKES UP MORE THAN EIGHT PERCENT OF THE POPULATION. UNDER THE ELECTION LAW PASSED BY PARLIAMENT IN OCTOBER 1995, THE NUMBER OF REPRESENTATIVES OF THE SERBIAN COMMUNITY WAS REDUCED FROM 13 TO THREE ON THE BASIS OF ESTIMATES OF THE NUMBER OF SERBS WHO FLED CROATIA AND THE ASSUMPTION THAT THEY WOULD NOT RETURN, DISREGARDING THE FACT THAT THEY REMAINED CROATIAN CITIZENS. TWO OF THE THREE SEATS WERE WON BY THE SERBIAN PEOPLE'S PARTY AND ONE SEAT WENT TO THE SOCIAL DEMOCRATIC ACTION PARTY.

IN SEPTEMBER, THE GOVERNMENT TEMPORARILY RESCINDED ARTICLES 21 AND 22 (AND ALL OTHER RELEVANT ARTICLES) OF THE 1992 CONSTITUTIONAL LAW ON HUMAN RIGHTS AND FREEDOMS. THESE LAWS HAD ESTABLISHED SELF-GOVERNING SPECIAL STATUS DISTRICTS IN AREAS WHERE MINORITIES MADE UP MORE THAN 50

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PERCENT OF THE POPULATION, NAMELY, MUNICIPALITIES IN THE KNIN AND GLINA REGIONS. THE PROVISIONS REMAIN SUSPENDED INDEFINITELY, AND AT A MINIMUM UNTIL THE RESULTS OF AN APRIL 1996 CENSUS ARE KNOWN. THIS REPEAL OF THE SPECIAL DISTRICTS LAW, OFFICIALLY JUSTIFIED BY THE CHANGE IN THE DEMOGRAPHICS OF THE TERRITORY, AS WELL AS THE LAW CONFISCATING ABANDONED PROPERTY, AND THE REFUSAL TO ALLOW THE MASS RETURN OF SERB REFUGEES CONTRIBUTED TO CHARGES  
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THAT THE GOVERNMENT SOUGHT TO LEGALIZE AND INSTITUTIONALIZE THE POPULATION CHANGES AFTER THE OFFENSIVES TO CREATE A HOMOGENEOUS COUNTRY WITH NO SIGNIFICANT MINORITIES.

THE "RSK" HELD ELECTIONS IN DECEMBER 1993 WHICH NO INTERNATIONAL BODY RECOGNIZED AS LEGITIMATE. THE "PRESIDENTIAL" CANDIDATE SPONSORED BY BELGRADE, MILAN MARTIC, "WON" ONLY AFTER OFFICIAL MANIPULATION OF THE VOTE. AFTER THE FALL OF THE "RSK," THE LONG-SERVING LEADERS OF EASTERN SLAVONIA APPOINTED THEMSELVES AS THE "REGIONAL GOVERNING COUNCIL" AND POLITICALLY "REORGANIZED" THEMSELVES AS A "DISTRICT," NO LONGER A "REPUBLIC." NO MINORITIES WERE REPRESENTED IN EITHER THE "PARLIAMENT" OR THE "GOVERNMENT" OF THE "RSK," NOR ARE ANY ON THE COUNCIL.

SECTION 4. GOVERNMENTAL ATTITUDE REGARDING INTERNATIONAL AND NONGOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN RIGHTS

HUMAN RIGHTS GROUPS IN ZAGREB, SPLIT, RIJEKA, AND OSIJEK WORKED TO PREVENT HUMAN RIGHTS ABUSES IN THEIR RESPECTIVE LOCALITIES AND BROUGHT THEIR CONCERNS TO THE ATTENTION OF LOCAL AND NATIONAL AUTHORITIES AS WELL AS DOMESTIC AND INTERNATIONAL MEDIA. MOST OF THESE GROUPS FOCUSED ON LEGAL ADVOCACY PROGRAMS AND SOCIAL SERVICES SUPPORT FOR THE REMAINING POPULATIONS IN THE RECOVERED TERRITORIES. A COALITION OF GROUPS WAS CREATED IN MAY TO SUPPORT AND MONITOR THE HUMAN RIGHTS SITUATION IN WESTERN SLAVONIA. ELEMENTS OF THIS COALITION WERE LATER EXTENDED TO KNIN. HUMAN RIGHTS GROUPS REMAINED HIGHLY CRITICAL OF THE  
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GOVERNMENT'S HUMAN RIGHTS RECORD.

MAJOR LOCAL HUMAN RIGHTS GROUPS INCLUDE THE CROATIAN HELSINKI COMMISSION, THE ANTI-WAR CAMPAIGN, THE DALMATIAN SOLIDARITY COMMITTEE, THE DALMATIAN COMMITTEE FOR HUMAN RIGHTS, AND THE CENTER FOR PEACE AND HUMAN RIGHTS. THE SERBIAN PEOPLES' PARTY AND THE SOCIAL DEMOCRATIC UNION HAVE HUMAN RIGHTS COMMITTEES. THE SERBIAN DEMOCRATIC FORUM, ANOTHER LOCAL HUMAN RIGHTS GROUP, FOCUSED PRIMARILY ON THE CONCERNS OF THE SERBIAN COMMUNITY. ALL OF THESE GROUPS HAVE PUBLICLY CRITICIZED THE GOVERNMENT'S HUMAN RIGHTS POLICY. INTERNATIONAL HUMAN RIGHTS ORGANIZATIONS ARE ALSO ACTIVE IN CROATIA.

THE GOVERNMENT COOPERATED WITH INTERNATIONAL INVESTIGATIONS OF WAR CRIMES CARRIED OUT BY THE U.N. COMMISSION OF EXPERTS, PERMITTING FREE ACCESS TO REFUGEES FOR GATHERING EYEWITNESS TESTIMONY, EVEN IN CASES IN WHICH CROATS WERE THE LIKELY PERPETRATORS OF THE WITNESSED ATROCITIES. THE GOVERNMENT PLEDGED ITS COOPERATION WITH THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF WAR CRIMES IN THE FORMER YUGOSLAVIA IN THE HAGUE. IN NOVEMBER, PRESIDENT TUDJMAN NAMED THE COMMANDER OF BOSNIAN CROAT FORCES, MAJOR GENERAL TIHOMIR BLASKIC, TO A NEW POST IN THE INSPECTOR GENERAL DIRECTORATE OF THE HV, ONE DAY AFTER BLASKIC HAD BEEN INDICTED BY THE TRIBUNAL. THIS APPOINTMENT RAISED QUESTIONS ABOUT THE GOVERNMENT'S PLEDGE.

SERBIAN FORCES DID NOT PERMIT THE FORMATION OR FUNCTIONING  
OF LOCAL HUMAN RIGHTS GROUPS AND IMPEDED THE WORK OF  
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INTERNATIONAL HUMAN RIGHTS GROUPS. AN ORGANIZATION CALLED  
THE DANUBE PEACE BRIDGE, BASED IN SOUTHERN HUNGARY, WAS  
ACTIVE IN EASTERN SLAVONIA, SUPPORTED BY ACTIVISTS FROM  
BOTH CROATIA AND SERBIA, HOWEVER, LOCAL "OFFICIALS"  
PREVENTED NON-INTERNATIONAL ACTIVISTS FROM GOVERNMENT-  
CONTROLLED CROATIA FROM ENTERING THE REGION. ONLY U.N.  
PERSONNEL AND THE EUROPEAN COMMUNITY MONITORING MISSION  
HAVE LIMITED FREEDOM TO OBSERVE HUMAN RIGHTS PRACTICES IN  
THESE AREAS.

SECTION 5. DISCRIMINATION BASED ON RACE, SEX, RELIGION,  
DISABILITY, LANGUAGE, OR SOCIAL STATUS

THE CONSTITUTION SPECIFIES THAT ALL CITIZENS SHALL ENJOY ALL RIGHTS AND FREEDOMS, REGARDLESS OF RACE, COLOR, SEX, LANGUAGE, RELIGION, POLITICAL OR OTHER OPINION, NATIONAL OR SOCIAL ORIGIN, PROPERTY, BIRTH, EDUCATION, SOCIAL STATUS, OR OTHER ATTRIBUTES. IT ADDS THAT MEMBERS OF ALL NATIONS AND MINORITIES SHALL HAVE EQUAL RIGHTS IN CROATIA. WITH THE EXCEPTIONS NOTED BELOW, THESE RIGHTS ARE OBSERVED IN PRACTICE. ONE ARTICLE PROVIDES FOR SPECIAL "WARTIME MEASURES" BUT STATES THAT RESTRICTIONS SHALL BE

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APPROPRIATE TO THE NATURE OF THE DANGER AND MAY NOT RESULT IN THE INEQUALITY OF CITIZENSHIP WITH RESPECT TO RACE, COLOR, SEX, LANGUAGE, RELIGION, OR NATIONAL OR SOCIAL ORIGIN. UNDER THESE MEASURES, THESE RIGHTS HAVE BEEN OBSERVED IN PRACTICE.

THE LAW DOES NOT DISCRIMINATE BY GENDER. IN PRACTICE, HOWEVER, WOMEN GENERALLY HOLD LOWER PAYING POSITIONS IN UNCLASSIFIED

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THE WORK FORCE. ALTHOUGH THE GOVERNMENT DOES NOT COLLECT  
STATISTICS, INFORMED OBSERVERS STATE THAT VIOLENCE AGAINST  
WOMEN, INCLUDING SPOUSE ABUSE IS COMMON, AND THAT THE  
NUMBER OF INCIDENTS HAS INCREASED IN THE LAST FEW YEARS.  
ALCOHOL ABUSE IS COMMONLY CITED AS A CONTRIBUTING FACTOR.  
CENTERS FOR THE PSYCHOLOGICAL AND MEDICAL CARE OF ABUSED  
WOMEN ARE OPEN IN SEVERAL CITIES, AND THERE IS A 24-HOUR  
HOT LINE IN A ZAGREB MEDICAL CENTER. A NUMBER OF LOCAL  
INSTITUTIONS AND VOLUNTARY AGENCIES OFFER SOCIAL, MEDICAL,  
AND OTHER ASSISTANCE TO ABUSED WOMEN AND TO THOSE  
TRAUMATIZED BY WAR EXPERIENCES. FAMILY CRISIS  
ASSOCIATIONS ARE ALSO ACTIVE.

ALTHOUGH THE NUMBER OF FEMALE-LED ORGANIZATIONS HAS  
INCREASED SINCE THE WAR, MOST ARE DEVOTED TO ANTIWAR OR  
HUMANITARIAN CAUSES AND ARE POORLY ORGANIZED AND POORLY  
FUNDED. THERE IS NO NATIONAL ORGANIZATION OF WOMEN  
DEVOTED TO THE PROTECTION OF WOMEN'S RIGHTS.

THE GOVERNMENT HAS MADE A STRONG COMMITMENT TO THE WELFARE  
OF CHILDREN. SCHOOLS PROVIDE FREE MEALS FOR CHILDREN, DAY  
NURSERIES ARE AVAILABLE IN MOST COMMUNITIES EVEN FOR  
INFANTS, AND MEDICAL CARE FOR CHILDREN IS FREE. THERE IS  
NO DOCUMENTED PATTERN OF SOCIETAL ABUSE OR DISCRIMINATION  
AGAINST CHILDREN.

THERE IS NO SPECIFIC LEGISLATION MANDATING ACCESS TO  
BUILDINGS OR GOVERNMENT SERVICES FOR PEOPLE WITH  
DISABILITIES. ACCESS TO SUCH FACILITIES IS OFTEN  
DIFFICULT, HOWEVER, THE GOVERNMENT BEGAN A NEW PROGRAM TO  
PROVIDE SEVERAL DISABLED WAR VETERANS WITH PUBLICLY-  
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FINANCED HOMES DESIGNED ESPECIALLY TO ACCOMMODATE THEIR  
PARTICULAR DISABILITY. PEOPLE WITH DISABILITIES FACE NO  
DISCRIMINATORY MEASURES, AND EDUCATION AND JOB  
OPPORTUNITIES GENERALLY ARE AVAILABLE.

OTHER SECTIONS OF THIS REPORT ADDRESS SERIOUS HUMAN RIGHTS  
ABUSES SUFFERED BY PERSONS BASED ON THEIR NATIONALITY,  
INCLUDING CASES OF GOVERNMENT ABUSE OF ETHNIC SERBS.

CONSTITUTIONALLY, CROATIAN SERBS ENJOY THE SAME PROTECTION  
AS OTHER SELF-IDENTIFIED ETHNIC AND RELIGIOUS GROUPS IN  
THE COUNTRY. IN PRACTICE, HOWEVER, THERE CONTINUES TO BE  
EVER-PRESENT, SUBTLE, AND SOMETIMES OPEN DISCRIMINATION  
AGAINST ORTHODOX SERBS IN SUCH AREAS AS THE ADMINISTRATION  
OF JUSTICE, EMPLOYMENT, HOUSING, AND THE FREE EXERCISE OF  
THEIR CULTURAL RIGHTS. SERBS CONTINUE TO BE PARTICULARLY  
VULNERABLE TO ATTACK BECAUSE OF THE GOVERNMENT'S  
RELUCTANCE TO PROTECT RIGOROUSLY THEIR RIGHTS. ATTACKS  
AGAINST PROPERTY OWNED BY SERBS, OR EVEN CROATS WITH SERB-  
SOUNDING NAMES, CONTINUED IN 1995, THOUGH AT A LESSER RATE  
THAN IN PREVIOUS YEARS. SERBS IN CROATIA ALSO CONTINUED  
TO RECEIVE ANONYMOUS THREATS BY MAIL, PHONE, AND FAX, BUT  
IN FEWER NUMBERS THAN IN PREVIOUS YEARS. MANY SERBS LEFT  
GOVERNMENT-CONTROLLED CROATIA DURING THE YEAR AS A RESULT  
OF THE COMBINATION OF ECONOMIC DISCRIMINATION AND PHYSICAL  
THREATS, AND THE LACK OF INTEREST SHOWN BY THE GOVERNMENT  
TO CREATE CONFIDENCE RESTORING MEASURES WITH THE SERBS  
REMAINING IN THE FORMERLY OCCUPIED AREAS.

THE MAKEUP OF THE POLICE FORCE, WHICH CONSISTS ALMOST  
EXCLUSIVELY OF ETHNIC CROATS, SOME WITH LITTLE EXPERIENCE  
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OR TRAINING IN POLICE WORK, CONTRIBUTED TO THE PROBLEM.  
AS IN PREVIOUS YEARS, THE VAST MAJORITY OF CASES INVOLVING  
VIOLENCE AGAINST SERBS WENT UNPUNISHED.

THE MUSLIM COMMUNITY IN CROATIA ALSO SUFFERED FROM ETHNIC

DISCRIMINATION AND CROATIAN MUSLIMS AND BOSNIAN REFUGEES  
CONTINUE TO REPORT WIDESPREAD DISCRIMINATION IN MANY AREAS  
SUCH AS CITIZENSHIP AND EMPLOYMENT RIGHTS.

THE GOVERNMENT'S PRACTICE OF DISCRIMINATING IN THE  
ISSUANCE OF CITIZENSHIP PAPERS TOWARD ETHNIC MINORITIES,  
PARTICULARLY SERBS AND MUSLIMS, DREW HARSH CRITICISM.  
HUMAN RIGHTS GROUPS HAVE NUMEROUS DOCUMENTED CASES IN  
WHICH THE INTERIOR MINISTRY DENIED CITIZENSHIP PAPERS TO  
LONG-TERM RESIDENTS OF CROATIA (I.E., RESIDENT IN CROATIA  
LONG BEFORE THE COUNTRY DECLARED ITS INDEPENDENCE). HUMAN  
RIGHTS GROUPS COMPLAIN THAT THE INTERIOR MINISTRY ALMOST  
ALWAYS BASED ITS DENIALS ON ARTICLE 26 OF THE LAW ON  
CITIZENSHIP, WHICH PERMITS IT TO DENY CITIZENSHIP PAPERS  
TO PERSONS OTHERWISE QUALIFIED TO BE CITIZENS OF CROATIA  
FOR REASONS OF NATIONAL INTEREST. THE LAW DOES NOT  
REQUIRE THE REASONS TO BE EXPLAINED, AND HUMAN RIGHTS

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	INR-00	IO-00	LAB-01	L-01	ADS-00	NSAE-00	NSCE-00
	OIC-02	PRS-01	P-00	SCT-00	SP-00	STR-00	TRSE-00
	USIE-00	PRM-10	PRME-01	PRMC-01	DRL-09	G-00	/033W
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ORGANIZATIONS REPORTED THAT THE POLICE CONTINUED TO REFUSE  
CITIZENSHIP APPLICATIONS WITHOUT FULL EXPLANATION.

THE LAW ON CITIZENSHIP DISTINGUISHES BETWEEN THOSE WITH A  
CLAIM TO CROATIAN ETHNICITY AND THOSE WITHOUT. THE  
"CROATIAN PEOPLE" ARE ELIGIBLE TO BECOME CITIZENS OF  
CROATIA EVEN IF THEY DID NOT HAVE PREVIOUS CITIZENSHIP OF  
THE FORMER SOCIALIST REPUBLIC OF CROATIA, AS LONG AS THEY  
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SUBMIT A WRITTEN STATEMENT THAT THEY CONSIDER THEMSELVES  
CROATIAN CITIZENS. OTHERS MUST SATISFY MORE STRINGENT  
REQUIREMENTS THROUGH NATURALIZATION IN ORDER TO OBTAIN  
CITIZENSHIP, EVEN IF THEY WERE PREVIOUSLY LAWFUL RESIDENTS  
OF CROATIA AS CITIZENS OF THE FORMER YUGOSLAVIA. WHILE AN  
APPLICATION FOR CITIZENSHIP IS PENDING, THE APPLICANT IS  
CONSIDERED AN ALIEN, AND IS DENIED RIGHTS SUCH AS SOCIAL  
ALLOWANCES, INCLUDING MEDICAL CARE, PENSIONS, FREE  
EDUCATION, AND EMPLOYMENT IN THE CIVIL SERVICE.



SERBS AND OTHER ETHNIC MINORITIES ALSO SUFFERED FROM ECONOMIC DISCRIMINATION. THE U.N. SPECIAL RAPPOREUR ON HUMAN RIGHTS PREVIOUSLY NOTED IN HIS REPORT THAT "IT APPEARS THAT SERBS AND MUSLIMS ARE ALWAYS THE FIRST TO BE DISMISSED..." WHILE THE DIFFICULT ECONOMIC SITUATION IN CROATIA CONTINUED TO CAUSE HIGH UNEMPLOYMENT FOR ALL SECTORS OF SOCIETY, THE SPECIAL RAPPOREUR'S CONCERN WAS AMPLIFIED BY A LARGE NUMBER OF CREDIBLE REPORTS THAT SERBS BORE A DISPROPORTIONATE BURDEN IN LAYOFFS BY A BROAD VARIETY OF EMPLOYERS. THROUGHOUT THE YEAR, HUMAN RIGHTS ORGANIZATIONS CONTINUED TO RECEIVE INQUIRIES FROM SERBS WHO HAD BEEN FIRED FROM THEIR JOBS AS FAR BACK AS 1992. WHILE IN MANY CASES IT WAS IMPOSSIBLE TO DETERMINE THE PROXIMATE CAUSE FOR THE FIRING OF AN EMPLOYEE, THERE WERE CASES WHERE THE EMPLOYEE'S ETHNICITY WAS THE STATED REASON. IN ONE CASE, THE ONLY DOCTOR TO REMAIN IN THE KNIN HOSPITAL FOLLOWING OPERATION STORM WAS DISMISSED. IN SOME CASES, DESPITE COURT ORDERS WHICH CONFIRMED THE EMPLOYEE'S RIGHT TO EMPLOYMENT OR REINSTATEMENT TO A PREVIOUS POSITION, THE EMPLOYER STILL REFUSED TO REHIRE WORKERS WHO HAD BEEN OUT OF WORK SINCE 1992.

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THE ROMA MINORITY CONTINUED TO FACE SOCIETAL DISCRIMINATION AND OFFICIAL INACTION WHEN COMPLAINTS WERE FILED. THE 1991 CENSUS SHOWS A TOTAL OF UNDER 7000 ROMA IN THE COUNTRY BUT COMMUNITY LEADERS NUMBER THE GROUP IN THE TENS OF THOUSANDS.

OTHER MINORITY GROUPS -- SLOVAKS, CZECHS, ITALIANS, HUNGARIANS -- DID NOT REPORT SIGNIFICANT DISCRIMINATION TO THE SAME EXTENT AS THE SERB COMMUNITY. AT THE START OF THE AUTUMN SCHOOL YEAR, ETHNIC HUNGARIAN PARENTS COMPLAINED THAT ONLY CHILDREN WHOSE PARENTS WERE BOTH REGISTERED TO BE OF HUNGARIAN ETHNICITY COULD REGISTER IN HUNGARIAN SCHOOLS, PREVENTING MANY CHILDREN OF MIXED BACKGROUND FROM ATTENDING. THE ITALIAN MINORITY IN ISTRIA AND OTHER ETHNIC COMMUNITIES REPORTED DISPROPORTIONATE NUMBERS OF MOBILIZATIONS PRIOR TO BOTH MILITARY OFFENSIVES, AS A TEST OF THEIR LOYALTY TO CROATIA.

THE ABYSMAL TREATMENT OF NON-SERB MINORITIES IN THE SERB-OCCUPIED AREAS IS DISCUSSED IN OTHER SECTIONS OF THIS REPORT.

#### SECTION 6. WORKER RIGHTS

##### 1A. THE RIGHT OF ASSOCIATION

ALL WORKERS, EXCEPT MILITARY AND POLICE PERSONNEL, ARE ENTITLED TO FORM OR JOIN UNIONS OF THEIR OWN CHOOSING WITHOUT PRIOR AUTHORIZATION. THERE IS AN ACTIVE LABOR MOVEMENT IN CROATIA WITH THREE NATIONAL LABOR FEDERATIONS

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AND INDEPENDENT ASSOCIATIONS OF BOTH BLUE-COLLAR AND WHITE-COLLAR MEMBERS. IN GENERAL, UNIONS ARE INDEPENDENT OF THE GOVERNMENT AND POLITICAL PARTIES.

THE RIGHT TO STRIKE IS GUARANTEED IN THE CONSTITUTION AND IS LIMITED ONLY IN THE ARMED FORCES, POLICE, GOVERNMENT ADMINISTRATION, AND PUBLIC SERVICES. STRIKES HAVE BEEN INFREQUENT SINCE THE END OF 1994, WITH TWO NOTABLE EXCEPTIONS IN THE TRANSPORTATION SECTOR. RAILWAY WORKERS WENT ON STRIKE IN DECEMBER 1994 TO PROTEST POOR SAFETY CONDITIONS AND LATE PAYMENT OF WAGES. AIRLINE PILOTS WENT ON STRIKE FOR A FEW DAYS IN THE FALL DUE TO A WAGE DISPUTE. IN THE FACE OF RELATIVE QUIESCENCE OF THE LABOR UNIONS, WORKERS CONTINUE TO COMPLAIN ABOUT THE INABILITY OF GOVERNMENT-OWNED OR GOVERNMENT-RUN INSTITUTIONS OR INDUSTRIES TO PAY WAGES ON TIME. FOR EXAMPLE, TEACHERS WHO STRUCK AT THE BEGINNING OF THE 1994-95 ACADEMIC YEAR, CONTINUED TO PROTEST GOVERNMENT WAGE POLICY AND ON MORE THAN ONE OCCASION THREATENED TO RESUME STRIKE ACTIVITY. DESPITE STRIKES AND PROTESTS, THE GOVERNMENT HEWED CLOSELY TO THE AUSTERITY PROGRAM IT IMPLEMENTED IN OCTOBER 1993 AS PART OF ITS ECONOMIC STABILIZATION PROGRAM. THE RAILWAY

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	OIC-02	PRS-01	P-00	SCT-00	SP-00	STR-00	TRSE-00
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STRIKE, HOWEVER, SUCCEEDED IN GAINING GREATER UNION  
REPRESENTATION WITHIN MANAGEMENT.

1B. THE RIGHT TO ORGANIZE AND BARGAIN COLLECTIVELY

COLLECTIVE BARGAINING IS PROTECTED BY LAW AND PRACTICED  
FREELY IN CROATIA. IN SPRING 1995, THE CROATIAN  
PARLIAMENT PASSED A NEW LABOR CODE, WITH UNION SUPPORT,  
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WHICH REVISED THE STATUTES GOVERNING COLLECTIVE BARGAINING  
CONTRACTS, PROTECTION FOR STRIKING WORKERS, AND LEGAL  
LIMITATIONS ON THE ABILITY OF EMPLOYERS TO CONDUCT  
"LOCKOUTS" DURING LABOR DISPUTES.

MANY CROATIAN ENTERPRISES WHICH WERE "SOCIALLY OWNED" HAVE  
BEEN "TRANSFORMED" OR NATIONALIZED AS A FIRST STEP TOWARDS  
PRIVATIZATION. IN THE CURRENT TRANSITION TO PRIVATIZATION  
AND A FREE MARKET ECONOMY, THE UNIONS ARE UNDER PRESSURE  
DUE TO JOB LOSSES, GENERAL UNEMPLOYMENT IN A WEAKENED  
ECONOMY, AND THEIR OWN STRUGGLE TO BECOME GENUINE FREE  
TRADE UNIONS.

THE LABOR CODE, WHICH GOES INTO EFFECT ON JANUARY 1, 1996,  
DEALS DIRECTLY WITH ANTI-UNION DISCRIMINATION ISSUES.  
UNIONS NOW CAN CHALLENGE FIRINGS IN COURT, AND THE NEW  
LABOR CODE DID AWAY WITH PROVISIONS UNDER WHICH ILLNESS  
HAD BEEN A VALID REASON FOR EMPLOYERS TO FIRE WORKERS. IT  
ALSO ERASED PROVISIONS WHICH, UNDER THE OLD CODE, REQUIRED  
UNION SHOP STEWARDS TO REMAIN ON THE JOB WHILE SERVING  
FULL TIME ON WORKERS' COUNCILS, AND GRANTED THEM THE RIGHT  
OF REINSTATEMENT WHEN SERVICE IS COMPLETED. NEVERTHELESS,  
CROATIA'S TRADE UNION FEDERATIONS HAVE ALLEGED THAT THE  
GOVERNMENT EMPLOYS STRONG-ARM TACTICS AGAINST EMPLOYEES  
INVOLVED IN LABOR DISPUTES TO FORCE THEM BACK TO WORK.  
SOME THREATS ARE ALLEGED TO INCLUDE MOBILIZATION OR "WORK  
OBLIGATIONS," WHEREBY WORKERS ARE DRAFTED TO FILL

POSITIONS.

THERE ARE NO EXPORT PROCESSING ZONES IN CROATIA.

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1C. PROHIBITION OF FORCED OR COMPULSORY LABOR

FORCED OR COMPULSORY WORK IS CONSTITUTIONALLY FORBIDDEN. THERE WERE NO DOCUMENTED INSTANCES OF COERCED OR FORCED LABOR. THE MINISTRY OF LABOR AND SOCIAL WELFARE IS THE AGENCY CHARGED WITH ENFORCING THE CONSTITUTIONAL BAN ON COERCED OR FORCED LABOR.

1D. MINIMUM AGE FOR EMPLOYMENT OF CHILDREN

THE MINIMUM AGE FOR YOUTH EMPLOYMENT IS 15 AND IS ENFORCED BY THE MINISTRY OF LABOR AND SOCIAL WELFARE. UNDER THE CONSTITUTION, CHILDREN MAY NOT BE EMPLOYED BEFORE REACHING THE LEGALLY DETERMINED AGE, NOR MAY THEY BE FORCED OR ALLOWED TO DO WORK THAT IS HARMFUL TO THEIR HEALTH OR MORALITY. WORKERS UNDER 18 ARE ENTITLED TO SPECIAL PROTECTION AT WORK AND ARE PROHIBITED FROM HEAVY MANUAL LABOR. EDUCATION IS MANDATORY UP TO AGE 14.

1E. ACCEPTABLE CONDITIONS OF WORK

THERE ARE NATIONAL MINIMUM WAGE STANDARDS. PUBLIC SERVICE UNIONS ARE PACESETTERS FOR THE REST OF THE WORK FORCE, AND THEY WERE IN THE FOREFRONT OF CONTINUED EFFORTS TO ENCOURAGE THE GOVERNMENT TO HONOR ITS COMMITMENTS. AS OF OCTOBER, THE MINIMUM GROSS MONTHLY WAGE IN CROATIA WAS ROUGHLY 200 U.S. DOLLARS GROSS (1024 KUNA) AND 140 USD NET (694). NATIONAL REGULATIONS PROVIDE FOR A 42-HOUR WORKWEEK, OVERTIME PAY, A HALF-HOUR DAILY BREAK, AND A MINIMUM OF 18 DAYS OF PAID VACATION ANNUALLY. IT IS STANDARD PRACTICE TO PROVIDE A 24-HOUR REST PERIOD DURING THE WORKWEEK.

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HEALTH AND SAFETY STANDARDS ARE SET BY THE GOVERNMENT AND ENFORCED BY THE MINISTRY OF HEALTH. IN PRACTICE, INDUSTRIES ARE NOT DILIGENT IN MEETING STANDARDS FOR WORKER PROTECTION.

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